

File No. 180630

Committee Item No. \_\_\_\_\_

Board Item No. 29

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: November 27, 2018

#### Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence                        |

#### OTHER

- |                          |                                     |   |
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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Department of Human Resources Presentation - 09/19/18</u>          |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>DHR - Racial Disparities in Disciplinary Dismissals - 09/19/18</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>DHR Letter - 07/10/18</u>  |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____   |
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Prepared by: Lisa Lew

Date: November 20, 2018

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

# Equity, Inclusion and Opportunity

## in the City and County of San Francisco Workforce

Department of Human Resources  
September 19, 2018  
City Hall, GAO Meeting



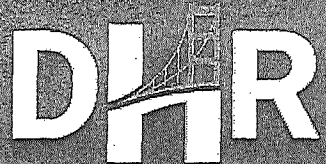


## Agenda

- Current Workforce Demographics & Programs
- What the Data Shows
- Future Focus

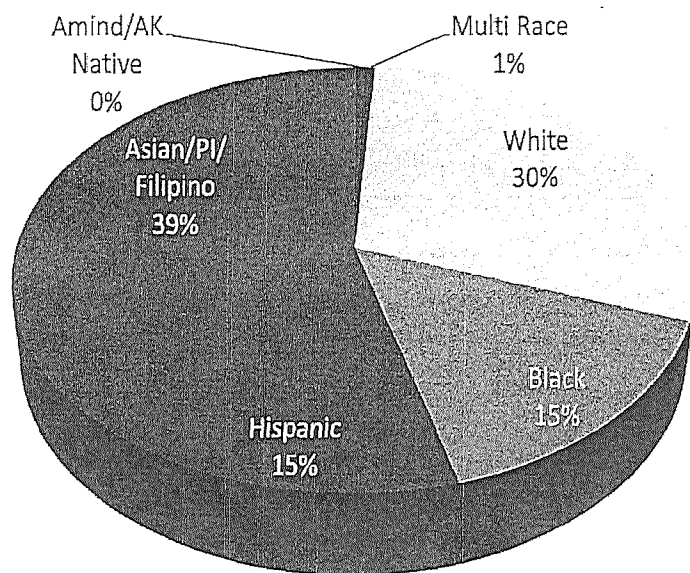
## Current Workforce & Programs



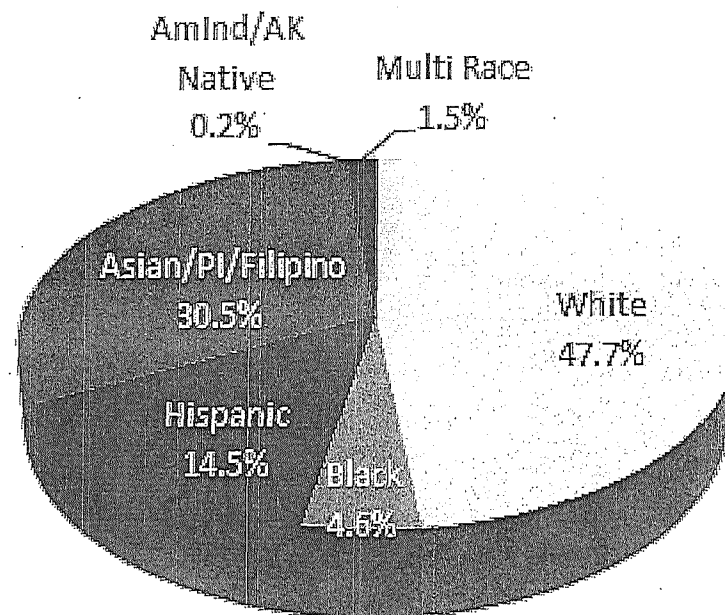


# Current Demographics

## City Workforce Composition by Race/Ethnicity



## Labor Market Composition By Race/Ethnicity





## Current City Programs

Recruitment

Hiring

Training

Enforcement



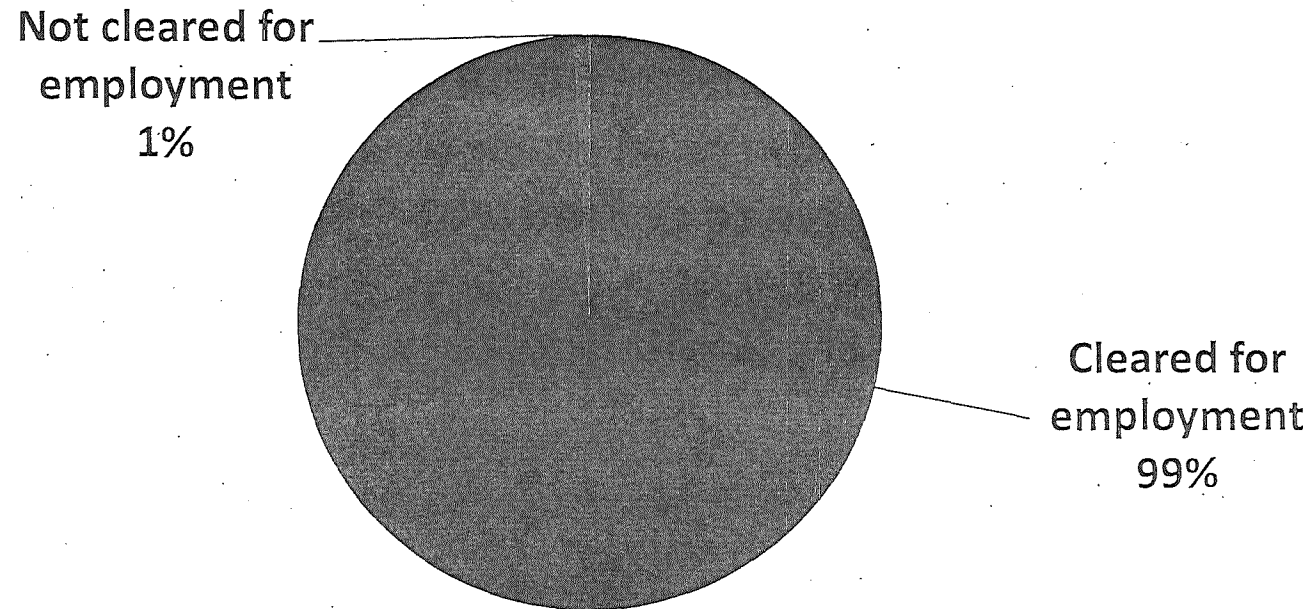
## Recruitment: Opening Doors

- 1) **Clerical Eligibility Test** : The eligibility test allows applicants who don't have any experience to take the entry-level exam.
- 2) **Continuous Testing for Police Officers**: Continuous testing with a new exam has nearly doubled exam pass rates for African American females. African American male officers increased 25% during the period in which overall FTEs increased 9%.
- 3) **Certification Rule**: Requesting unions to allow access to more eligible candidates for hiring. Current requirements limit access to some qualified candidates who could add diversity.
- 4) **MQ Review**: minimum qualifications are reviewed and adjusted to ensure they are job-related and aren't creating unfair barriers to employment.



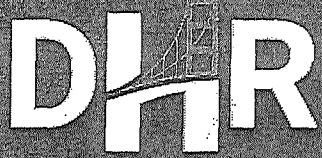
# Hiring: Conviction History Review Program

## Candidates with Conviction Histories in FY 2017-18



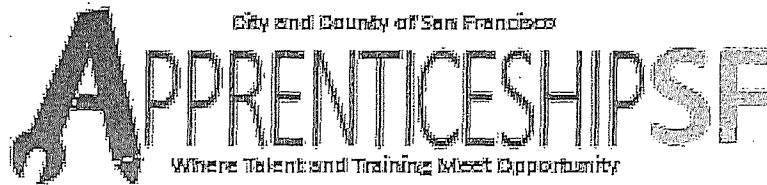
In FY 2017-18 only 9 candidates were not cleared for employment following a conviction history review





## Hiring: Pipelines

- **Access to City Employment (ACE):** matches qualified applicants who have serious disabilities with City jobs



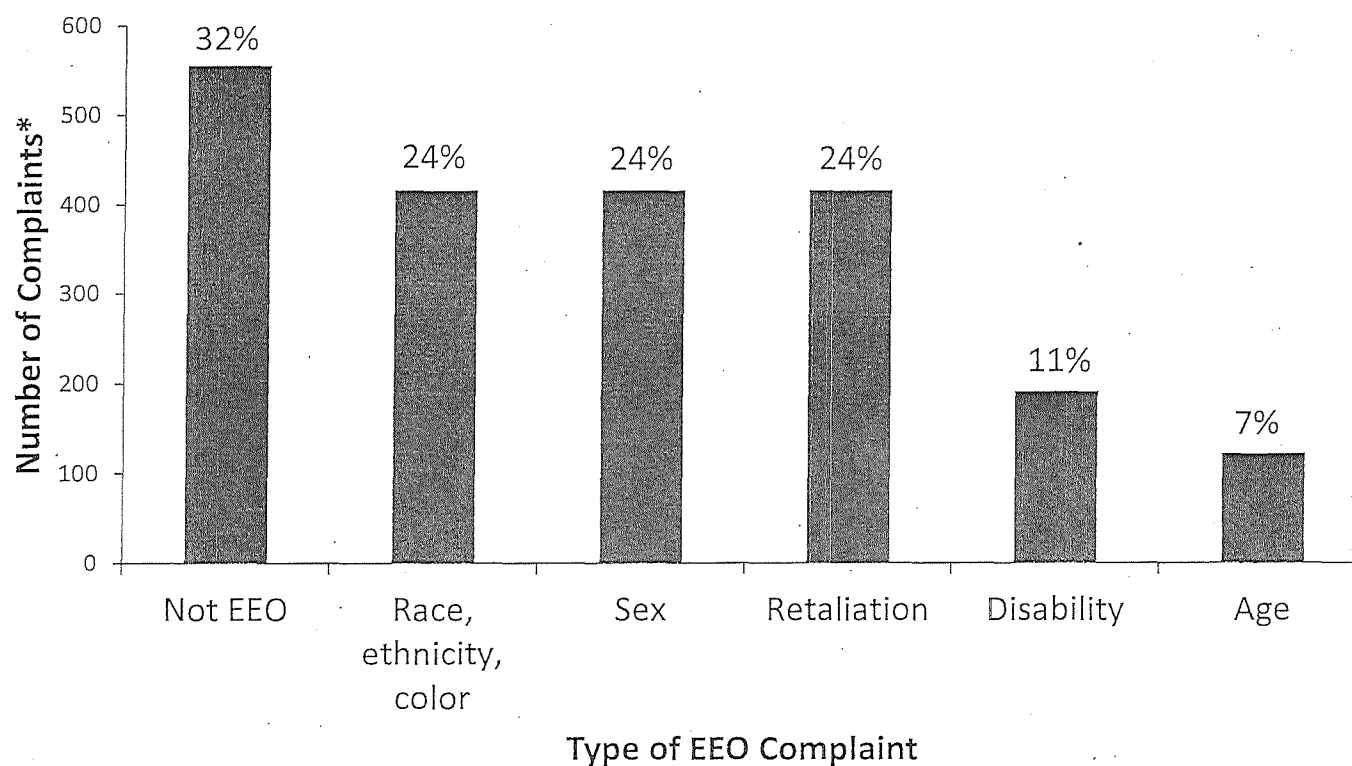
- Candidates interested in the building trades earn while they learn, and qualify for journey-level career positions
- **San Francisco Fellows:** a brilliant and diverse group of recent college graduates spends a year working and learning in City departments, qualifying for analyst positions at the end of the Fellowship

- **Implicit Bias:** Instructor-led and online trainings have reached nearly 3,000 employees in 51 departments, including 900 at SFPD
- **Harassment Prevention :** 14,000 employees trained, including 6,500 supervisors and managers
- **Cross-Cultural Communications:** new DHR program to improve communications skills among co-workers and supervisors
- **Anti-Bullying:** Online module developed in collaboration with SEIU



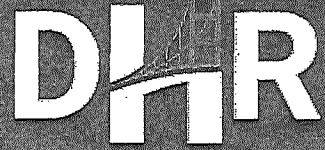
## Enforcement: Equal Employment Opportunity Complaints

EEO Complaints 2015-2018



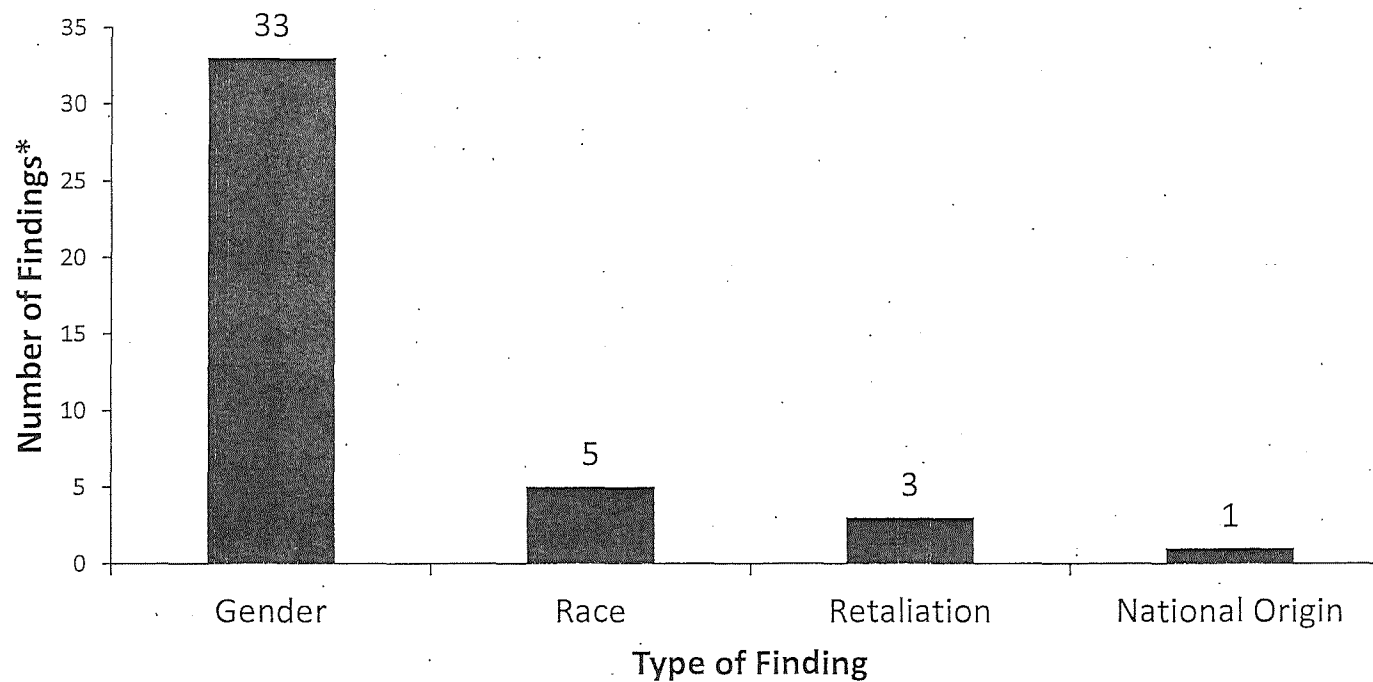
\*Total number of EEO complaints over a three-year period was 1,734. All complaint types equal more than 100 percent because some claimants file under multiple areas.





# Enforcement: Equal Employment Opportunity Findings

EEO Findings 2015-2018

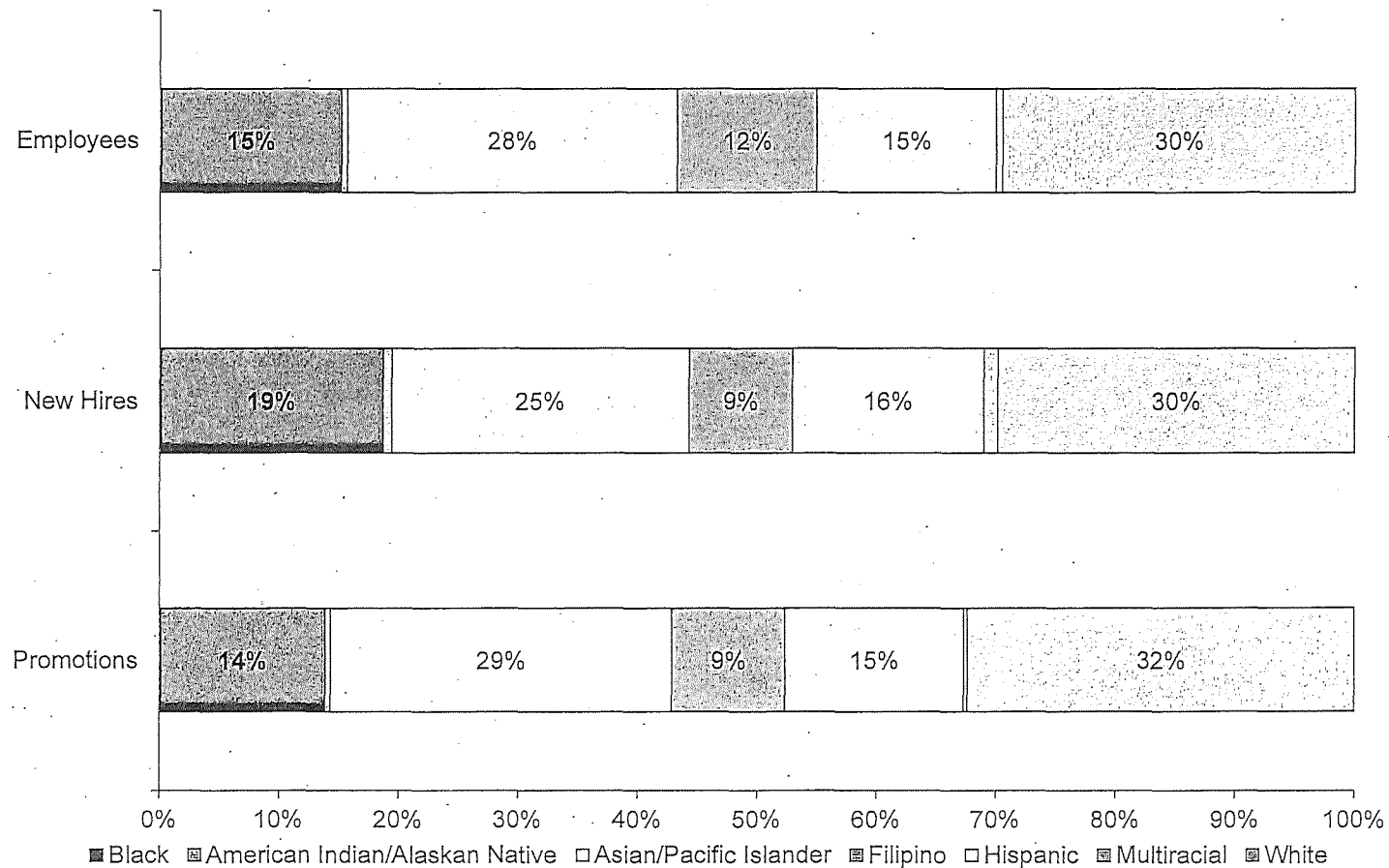


\*Total number of EEO findings over the three-year period was 42. There were also 778 corrective actions over that time period.

# What the Data Shows



# Citywide New Hires



*Notes: Employees captures all active City employees as of 8/30/18. New Hires and Promotions capture instances during the period 7/1/13 through 6/30/18.*



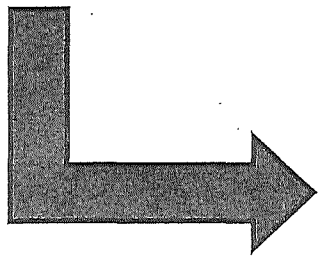
## Temporary Employment

- “As Needed” employees (TEX 16)
  - African Americans are 15% of the as-needed employees
  - Equivalent to their overall workforce proportion of 15%
- Category 18 appointments (limited to three years)
  - These categories are used for projects of limited duration and for training
  - 25% of Category 18 employees are African American, consistent with targeted employment programs such as Jobs Now, City Build, ApprenticeshipSF.

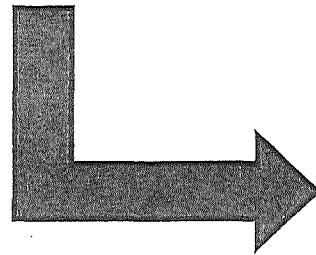


## SEIU Promotions

African Americans  
make up **17%** of SEIU  
new hires



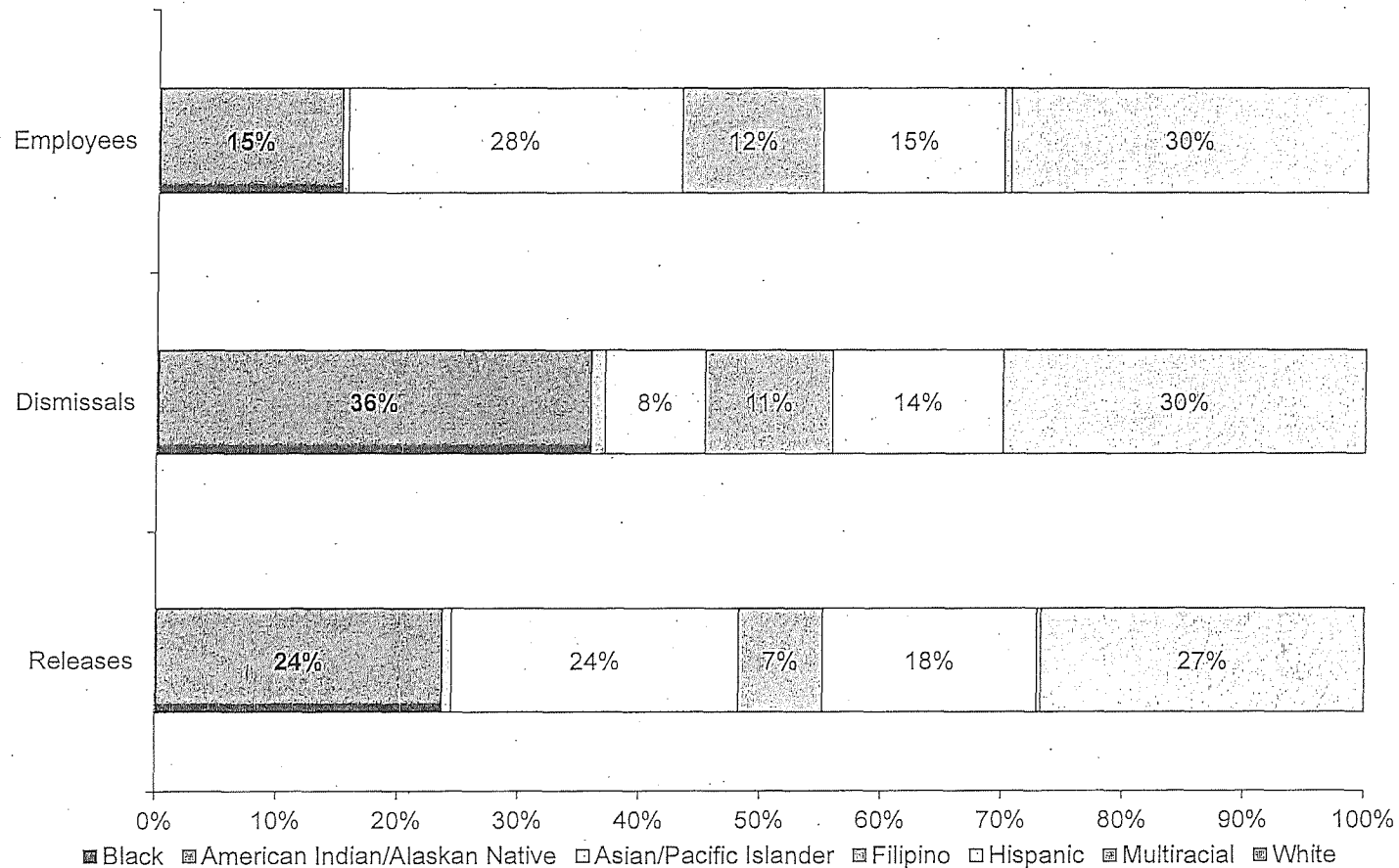
African Americans  
make up **16%** of the  
SEIU workforce



African  
Americans make  
up **18%** of SEIU  
promotions



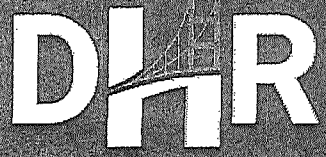
## Cause for Concern



*Notes: Employees captures all active City employees as of 8/30/18. Dismissals and Releases capture instances during the period 7/1/13 through 6/30/18. Dismissals captures dismissals of permanent employees, and Releases captures releases from probation.*

Future Focus





## Candidate De-Identification

- Board of Supervisors has voted in 2016 and in 2018 favor of de-identification of candidates for hire, in order to reduce bias in the hiring process
- Civil Service Commission approved rule changes this week which will allow DHR to require candidate de-identification when managers are deciding whom to interview
- Set to begin Oct. 15, 2018



## Recruitment & Pipelines

- Expand capacity for diversity recruitment
- Expand partnerships with schools and community-based organizations to provide candidate pipelines

**Your future starts with You!**



**APPLY TODAY!**  
Submit Applications Online  
[jobscloud.com/sf/](http://jobscloud.com/sf/)

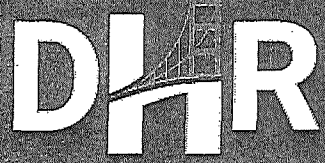
**8208 Park Ranger Opportunity**  
Help maintain San Francisco's cultural and natural resources for all to enjoy. Join us to work with the hand, the heart, and the mind to share your passion for the beauty of San Francisco.

**Apply by 5:00 PM on August 3, 2018**  
If you need help with submitting the City application for this position, please contact:

**Angela Scott**, Transitional Coordinator  
San Francisco Department of Recreation & Parks  
Address: 1601 Lane Street, SF, 94129  
Office: 415-820-4240 Email: [AScott@ymca.org](mailto:AScott@ymca.org)

If you have questions about the qualifications or job specifics, or if you need technical assistance contact the exam analyst for this posting, Amber Lyle, at 415-557-4080, or by email at [AmberLyle@sf.gov](mailto:AmberLyle@sf.gov).

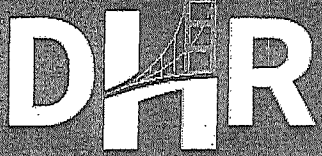




## Centralized Reporting

- Centralized reporting and tracking of discipline and other employment actions to identify problem areas
- Development of electronic personnel files to ensure consistent and accurate reporting of data and employment actions

- Provide harassment prevention, implicit bias, and cross cultural communications training to much broader segment of City employees
  - Beginning Jan. 1, 2019
    - Hiring managers and supervisors must take DHR's online **implicit bias training** biannually
    - Hiring managers, supervisors, others on hiring panels must take new "**Fairness in Hiring**" online training annually
    - **All** City employees must take **Harassment Prevention Training** biannually



## Conclusion

- City can be proud of its workforce diversity
- Concerted effort through:
  - Recruitment & hiring programs
  - Training
  - Enforcement of anti-discrimination laws, regulations, policies
- We can and will do more:
  - Leading edge programs
  - Broaden recruitment and training
  - Improved systems

Thank you

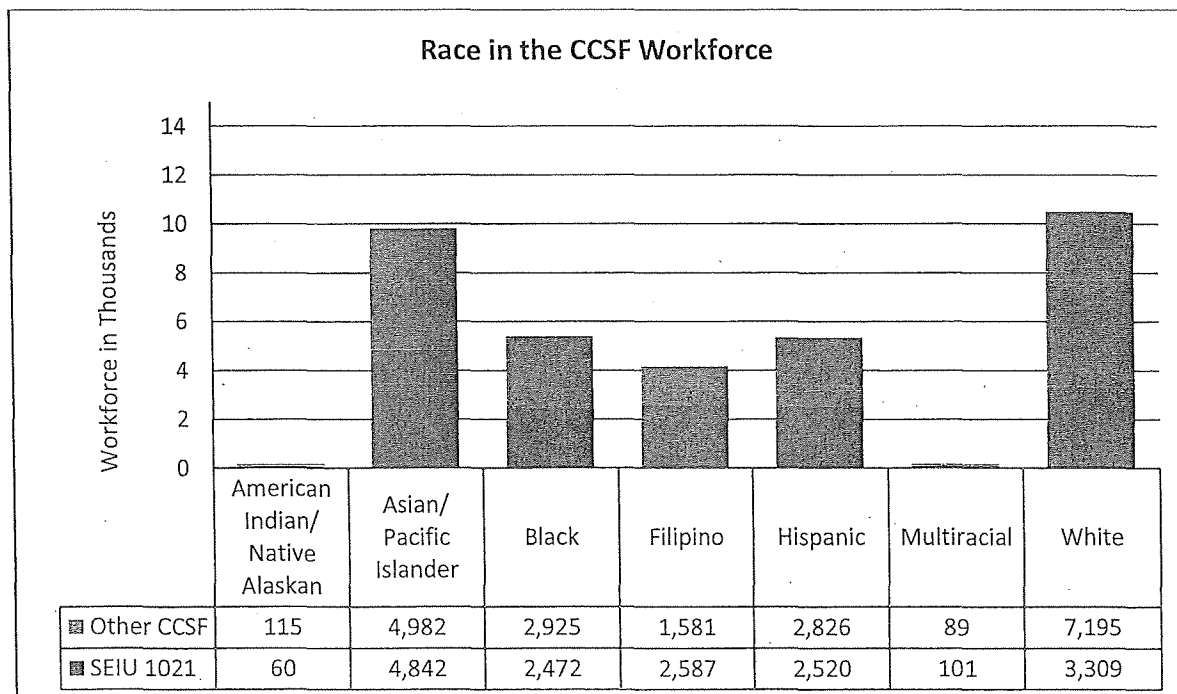
## Racial Disparities in Disciplinary Dismissals, Probationary Releases, and Medical Separations at City and County of San Francisco

In response to the union's request, on August 30, 2018 the Department of Human Resources provided SEIU Local 1021 with data on self-reported racial categories of the CCSF workforce overall and the SEIU bargaining units. Among other datasets, DHR provided the number of disciplinary dismissals, probationary releases, and medical separations between FY 2014 and FY 2018, broken down by racial category. This data shows that **in the five-year period ending with FY2018, Black workers were disciplined, released, and medically separated at a significantly higher rate than the rate at which they are currently represented in the CCSF workforce.** This is true for both the SEIU bargaining units and citywide.

### Racial Categories in the CCSF Workforce

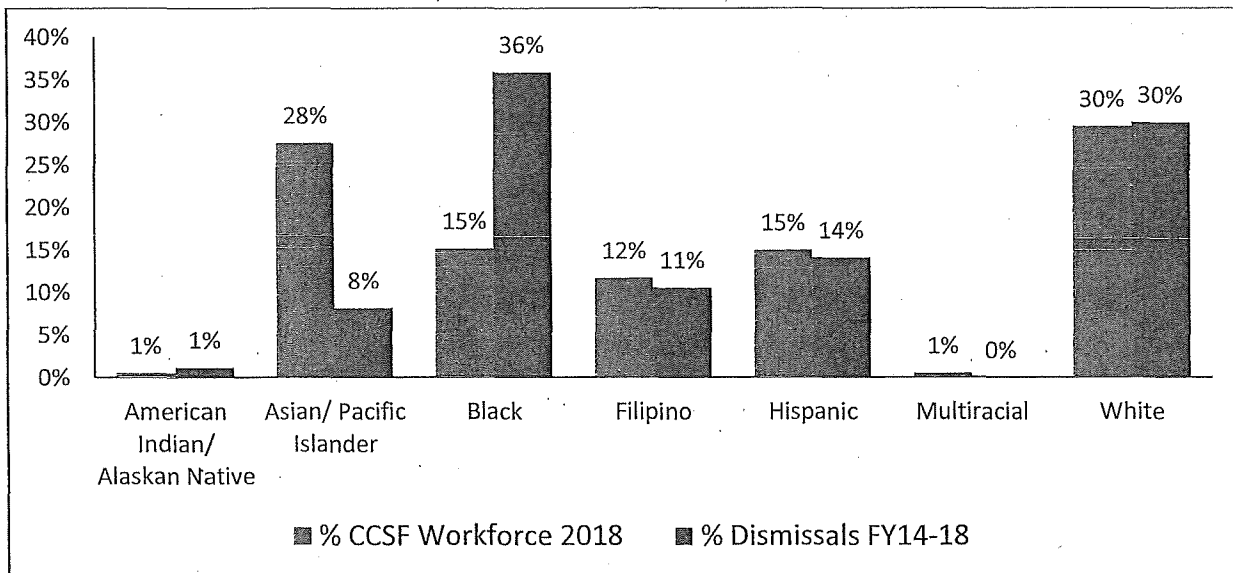
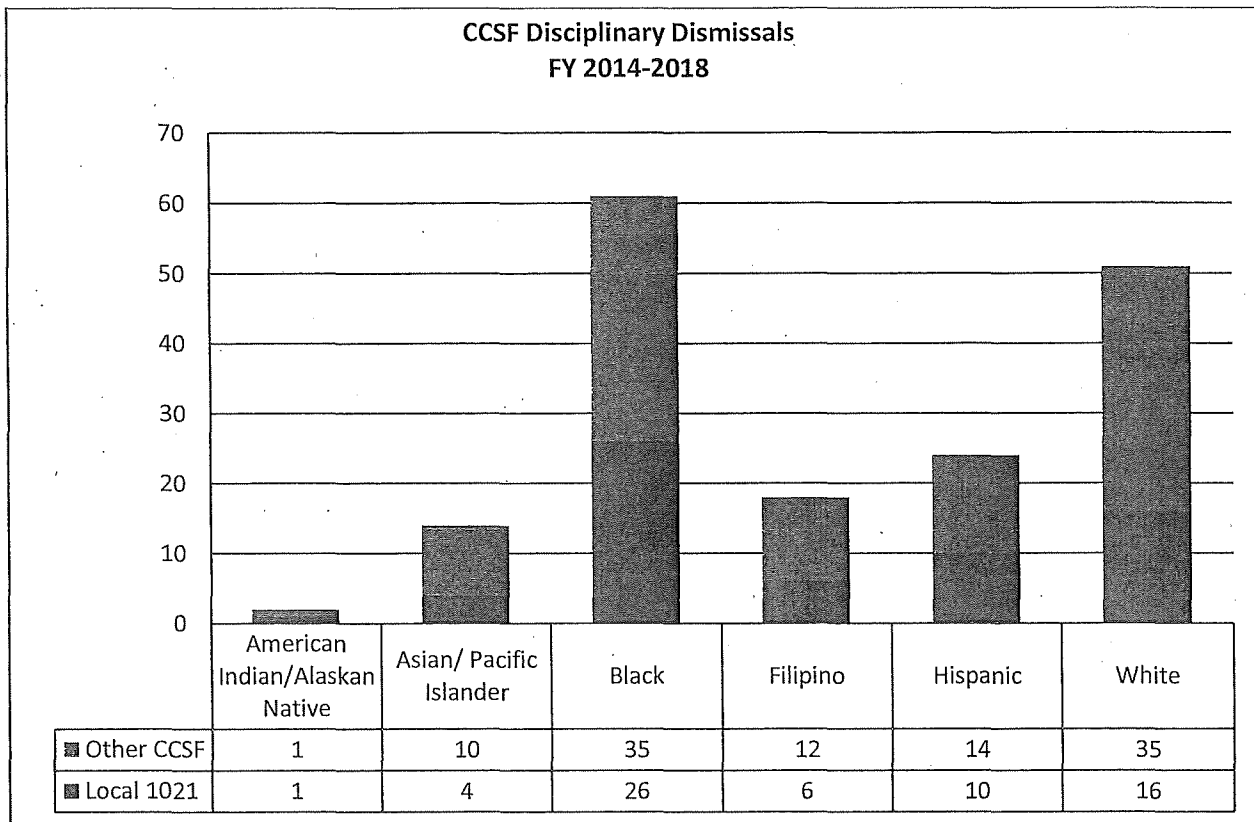
The overall numbers and percentages of CCSF employees in each racial category are shown below.

	American Indian/ Alaskan Native	Asian/ Pacific Islander	Black	Filipino	Hispanic	Multi-racial	White	Total
<i>SEIU 1021 Workforce Aug 30 2018</i>	60	4,842	2,472	2,587	2,520	101	3,309	15,891
	0.4%	30.5%	15.6%	16.3%	15.9%	0.6%	20.8%	100%
<i>Citywide Workforce Aug 30 2018</i>	175	9,824	5,397	4,168	5,346	190	10,504	35,604
	0.5%	27.6%	15.2%	11.7%	15.0%	0.5%	29.5%	100%

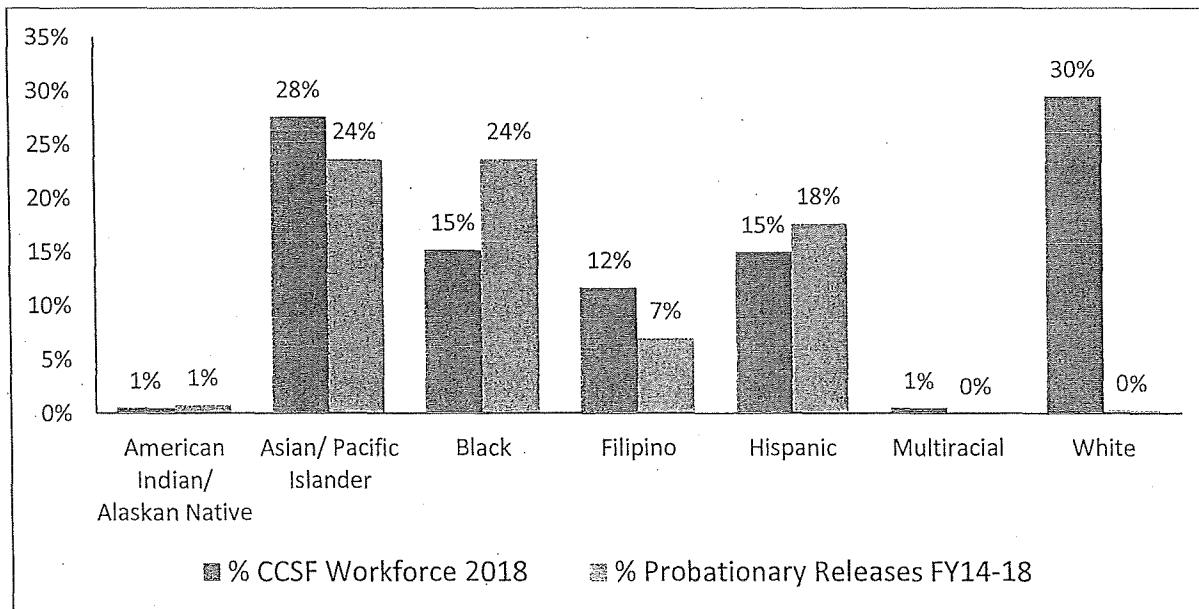
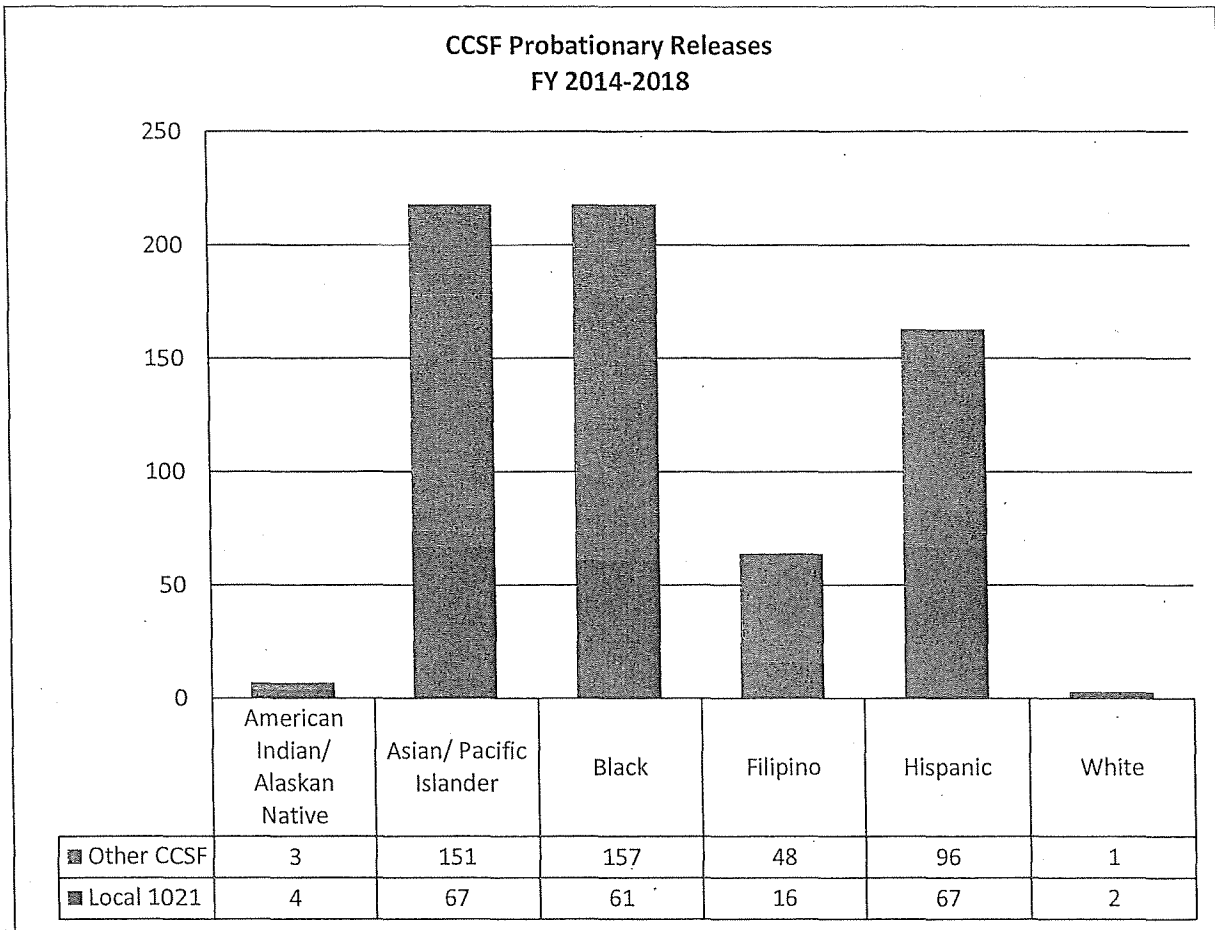




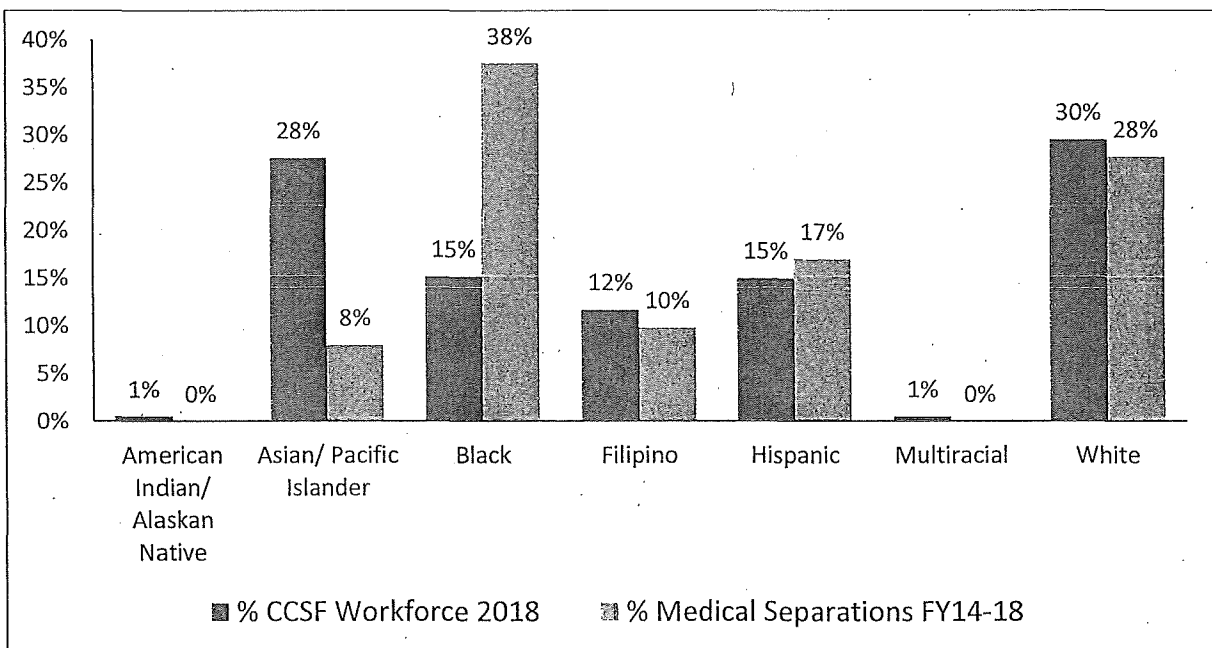
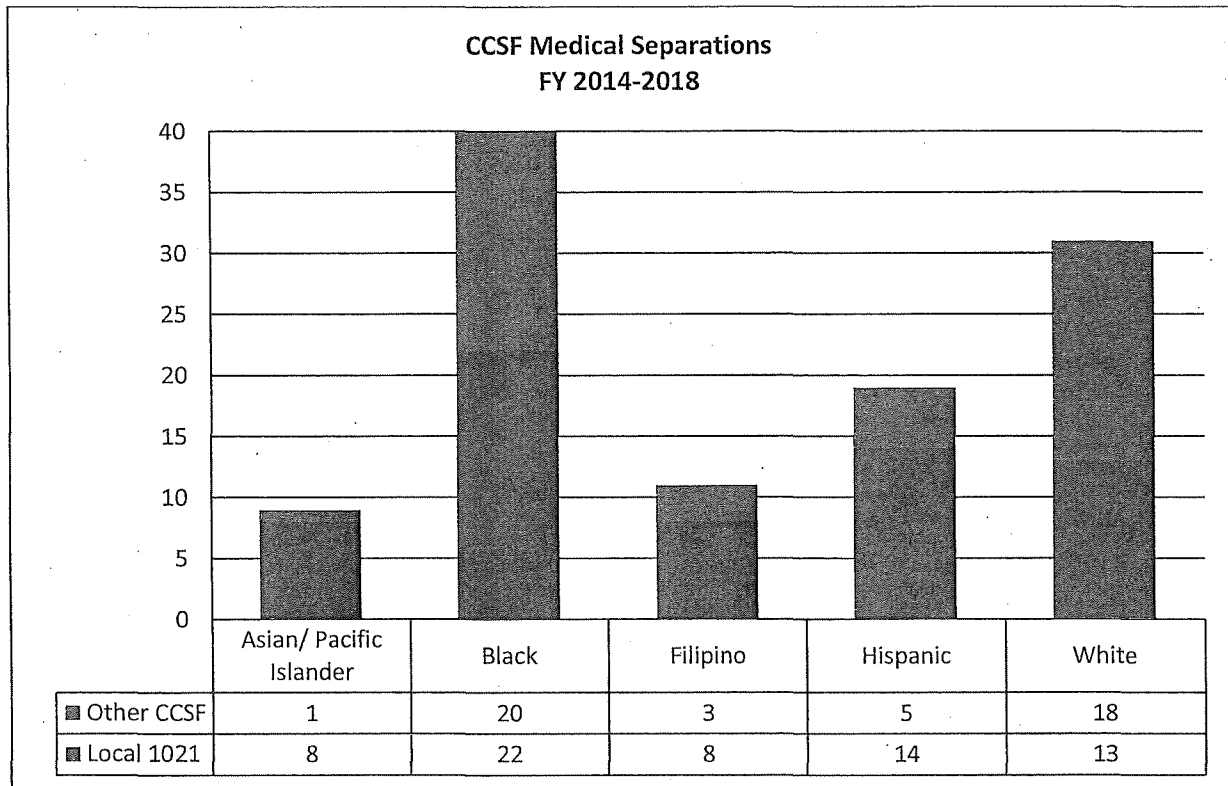
## Disciplinary Dismissals



## Probationary Releases



## Medical Separations



## Comments on Workforce Data provided by SFCC Department of Human Resources

SEIU Local 1021

September 19, 2018

### 1) Racial Disparities in Compensation

Based on data that DHR provided on August 30, 2018 in response to the union's request, SEIU represents about 15,900 workers in 345 job classes. DHR did not provide data on race for workers in less-populated classifications, as an attempt to protect the privacy of those workers. When we exclude workers in those classifications that DHR "de-identified" in this way, we are able to look at information on race for 15,300 workers in 190 SEIU-represented classifications.

- a) For SEIU's classifications, the average minimum hourly wage is \$34.31.
- b) Black workers make up nearly 16% of SEIU's unit members at the City and County, but they make up nearly 18% of workers who earn less than the average minimum hourly wage of \$34.31.
- c) 69% of Black workers represented by SEIU work in classes for which the minimum wage is less than the average minimum hourly wage.
- d) Black workers are the largest racial group in 21 out of the 121 SEIU-represented job classes that earn less than the average minimum hourly wage.
- e) In contrast, 1,182 individuals work in the most highly compensated SEIU job classes, where the minimum wage is 2 or more times the average minimum hourly wage of \$34.31. Of those 1,182 workers, only 68 are Black. That makes the population of these job classes 5% Black – a representation rate that is less than one-third of the overall citywide rate for Black workers. In fact, two of these highest-paid job classes (Clinical Pharmacist and Nurse Midwife) have zero Black workers.

*In summary: Within SEIU 1021's bargaining units, Black workers are concentrated in the lowest-paid job classes, and are in a very small minority in the highest-paid job classes.*

### 2) Racial Disparities in Disciplinary Dismissals, Probationary Releases, and Medical Separations

Our memo on this subject compares the rates of dismissal, probationary release, and medical separation of CCSF employees over a 5-year period (FY2014-2018) with the current overall rates of representation for the different racial categories.

African Americans within the City & County of San Francisco face an abhorrent reality of systematic discrimination in education, housing and employment. Employment with CCSF once helped to anchor middle and working class families in the City. Nowadays discriminatory practices in recruitment, hiring, promotion and termination are driving African American's out of San Francisco. Our numbers have fallen the lowest point in over 40 years.

San Francisco has been losing African American residents over the last 40 years. At peak in 1970 African Americans were 13.4% of the City, some 96,000 strong. Census report completed in 2010 showed African Americans are 6.1% of the total population, less than 49,000 individuals. While the African American population in shrank over those years, SF increased from 715,000 to 805,000 residents. The latest US census Bureau data conducted July 1, 2017 estimates that population in SF has increased to 884k and still African Americans have been driven down to 5.4%. San Francisco's displacement of our African American community is alarming and disproportionate.

San Francisco's public education system graduates only 71.1 percent of African American students compared to 94.7 percent of Asian students and 83.8 percent of white students. Affordable housing is scarce, African Americans represent 36% of our homeless residents. CCSF racially motivated mass incarceration has filled 56% of jail cells with African Americans. Employment practices in the City enable this distressing trend. CCSF has the largest disparity of employment rates between African Americans and whites among 18-64 year-olds of any large region in the Country with 84% of Caucasian San Franciscans are employed, compared to 53% of African American San Franciscans according to the Brookings Institute 2017 study.

The public sector is the leading employer for black men and the second largest employer of black women. Nationally about 20 percent of employed blacks work in government. The African American community long considered employment with CCSF a path for advancement and an anchor against tides of displacement. As the largest employer CCSF has historically played an important role.

African Americans comprised 23.4 percent of the CCSF workforce in 1976. Following 38 years of drastic decline our community was only 12.8% of the CCSF workforce in 2014.

African American workers allege disparate treatment in the CCSF. We heard numerous stories of discrimination and bias in hiring and promotion. Disproportionate targeting for discipline, and termination. We recently conducted our own analysis into the merit to these claims. We assessed the race/ethnicity of employees accused of workplace violations 277\* cases over a 1 year period.

We demand CCSF:

1. Completes a full updated EEO Workforce Utilization Report;
2. Completes audit to identify trends of discrimination in recruitment, hiring, promotion/demotion, targeting, stereotyping and termination;
3. Creates a comprehensive strategy to eliminate discrimination in all aspects of work at CCSF;
4. Those who have perpetuated discrimination through implicit, explicit bias or complacency be held accountable
5. Complete a study to identify the correlation between out-migration and the decline of the African American workforce in SF
6. Establish a working group to oversee the elimination of discrimination of African American employees in the CCSF

#### Bibliography:

San Francisco Mayor's Task Force on African American Out-Migration. (2009). Report of the San Francisco Mayor's Task Force on African American Out-Migration. San Francisco, CA. SF Mayor's Office

<http://www.bayareacensus.ca.gov/counties/SanFranciscoCounty40.htm>

"U.S. Census Bureau QuickFacts: San Francisco County, California; UNITED STATES". [www.census.gov](http://www.census.gov). Retrieved March 23, 2018.

Bureau of Labor Statistics Data. (n.d.). Retrieved February 21, 2017, from <https://data.bls.gov/timeseries/LNS14000006>

<https://hoodline.com/2017/03/san-francisco-leads-the-country-in-african-american-employment-disparity>

Retrieved from <http://www.ibtimes.com/tech-giants-push-diversity-blacks-latino-are-fleeing-once-diverse-san-francisco-1872760>

Homeless Point-In-Time Count & Survey Comprehensive Report 2015 [PDF]. (n.d.). Applied Survey Research.

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Homeless Point-In-Time Count & Survey Comprehensive Report 2015 [PDF]. (n.d.). Applied Survey Research.



1. Why do you think so many black workers feel mistreated and discriminated in the workplace?
2. Whose responsibility in each department is it to make sure we have a zero tolerance for discrimination? Do you have strategic plan to improve diversity?
3. Over a two year period how many black employees, citywide, have been released from probation per department and per classification?
4. Can you provide us data on probationary released in all departments sorted by race, gender, age and classification?
5. Provide us data on promotions throughout the city sorted by race, gender, age and classification?
6. Give us the demographics of the entire citywide workforce sorted by race, gender, age, and classification? Also the demographics of all new hires over the past 5 years.
7. What is the ratio of black human resources professionals working for the CCSF?
8. How does the average income of blacks compare to the average income of other ethnic/racial groups?
9. Would you be willing to allow diversity champions on all hiring panels?
10. Why is there a disproportionate of black workers in temporary positions?
11. Give us a list of formal disciplines including written warnings sorted by race, gender, age, and classification?
12. Why is there such a long turnaround time for investigations to eeo. Are there prescribed timelines and what are the demographics sorted by race, gender, age, and classification?
13. Do you track complaints of discrimination or bullying have been received in the last 5 years? If not, complaints should be tracked by race, gender, age and classification.
14. How many discrimination complaints have been determined to have merit of the individual making the complaint?
15. Can you give us a list sorted by race, gender, age and classification who have been medically separated from employment?
16. How many non-permanent positions have been created in the last 5 years sorted by race, gender, age and classification?
17. How many managers have received discipline in the last 5 years sorted by race, gender, age and classification?
18. Are there any non city employees who control or have decision making authority over hiring, supervision or purchasing capital expenditure?
19. What has the City done to address the out-migration of Blacks from the city workforce?

## Carroll, John (BOS)

---

**From:** Callahan, Micki (HRD)  
**Sent:** Wednesday, July 11, 2018 2:56 PM  
**To:** Board of Supervisors, (BOS)  
**Cc:** Calvillo, Angela (BOS); Buick, Jeanne (HRD); Simon, Linda (HRD); BOS-Legislative Aides  
**Subject:** Demographic information--SEIU City employees  
**Attachments:** SEIU Information Request 071018.pdf; Copy of SEIU PCS FT 6-27-18 (for SEIU).xlsx

Dear Board Members,

We have provided SEIU a comprehensive response to the union's request for demographic information about its membership, including information on negative separations from employment. As these topics will be discussed at the upcoming GAO hearing on African Americans in City employment, I am providing them to you as well. We will also be preparing a report for the hearing once we learn more about what questions the committee would like us to address, and will provide that to you.

Feel free to contact me or EEO Director Linda Simon if you should have any questions or concerns.

Regards,



Connecting People with Purpose

Micki Callahan  
Human Resources Director  
Department of Human Resources  
One South Van Ness Ave., 4<sup>th</sup> Floor  
San Francisco, CA 94103  
Phone: (415) 557-4845  
Website: [www.sfdhr.org](http://www.sfdhr.org)

City and County of San Francisco  
Micki Callahan  
Human Resources Director



Department of Human Resources  
*Connecting People with Purpose*  
www.sfdhr.org

July 10, 2018

Via U.S. Mail and email(david.canham@seiu1021.org)

David Canham  
SF Regional Director  
SEIU 1021  
350 Rhode Island  
South Bldg, Suite 100  
San Francisco, CA 94103

Re: SEIU 1021 Request for Information

Dear David:

The City received your Request for Information for various demographic data breakdowns of your Citywide membership via email on March 19, 2018. This request stemmed from an agenda item being discussed at the monthly Citywide JLMC meeting. As part of a framework for a more detailed response, the City provided the *2013 Equal Employment Opportunity – Workforce Utilization Report* to the Committee on April 30, 2018 and the *Individual Employee Data Privacy Policy* on May 16, 2018. Contained here is the City's detailed response within the limits of our data confidentiality policy:

- **Race / Ethnic and Gender breakdown of all citywide disciplines by department/ work location including, written warnings, suspensions, terminations, probationary releases, probationary extensions, PIP's and medical separations of SEIU 1021 represented employees**

It is the City's policy that we do not provide information regarding race / ethnicity or gender that would allow individual employees to be identified. As there are so few dismissals for cause, probationary releases and medical separations citywide, we cannot provide this information by department and work location without risking identifying individual employees. Accordingly, we can only provide this information in aggregate form citywide.

Further, this information can only be provided to the extent it is centrally collected in our Human Resources Management System (HRMS). Written warnings, suspensions, probationary extensions and performance plans are not in our HRMS system so they cannot be centrally provided.

For calendar year 2017, there were the following citywide separations based on dismissal for cause, probationary release and medical separations for PCS, FT SEIU, Local 1021 employees covering Miscellaneous, Nurses and H-1 MOUs by race / ethnicity and gender.

Please note that the City only started actively collecting data for the multiracial category in 2013.

**Dismissal for cause**

<u>Race / Ethnicity</u>	<u>Employees</u>
American Indian/Alaskan Native	
Asian/Pacific Islander	1
Black	7
Filipino	1
Hispanic	1
Multiracial	
White	4

**Probationary Release**

<u>Race / Ethnicity</u>	<u>Employees</u>
American Indian/Alaskan Native	
Asian/Pacific Islander	15
Black	9
Filipino	6
Hispanic	18
Multiracial	
White	10

**Medical Separations**

<u>Race / Ethnicity</u>	<u>Employees</u>
American Indian/Alaskan Native	
Asian/Pacific Islander	1
Black	1
Filipino	2
Hispanic	3
Multiracial	
White	2

**Dismissal for cause**

<u>Gender</u>	<u>Employees</u>
F	6
M	8

**Probationary Release**

<u>Gender</u>	<u>Employees</u>
F	30
M	28

**Medical Separations**

<u>Gender</u>	<u>Employees</u>
F	6
M	3

- Breakdown of the City's workforce by department, work location, classification, hourly rate, race/ethnicity, gender, age

The City already provides the Union a breakdown of its workforce by department, work location, classification and hourly rate every pay period. Regarding race / ethnicity, gender and age, the City shall provide this information in aggregate citywide for PCS, FT SEIU, Local 1021 employees covering Miscellaneous, Nurses and H-1 MOUs as of June 27, 2018. For age, this information will be categorized by those under age 40 and those 40 and over.

<u>Race / Ethnicity</u>	<u>Employees</u>
American Indian/Alaskan Native	36
Asian/Pacific Islander	3,489
Black	1,661
Filipino	1,889
Hispanic	1,741
Multiracial	22
White	1,811

<u>Gender</u>	<u>Employees</u>
F	6,731
M	3,918

<u>Age</u>	<u>Employees</u>
<40	2,986
≥40	7,663

Additionally, these numbers have been broken down by class and department to the extent the data can be provided in a manner that does not risk identifying individuals. In those instances, the data for those classes or departments is provided in aggregate at the bottom of the worksheet.

This data can be accessed from the attached excel document that contains the following worksheets:

- Classes – list of all SEIU classes and number of incumbents in those classes
- Dept. – list of all departments and number of SEIU incumbents in those departments
- Race and Class – list of incumbents by race and class for SEIU represented classes; de-identified provided at the bottom
- Gender and Class – list of incumbents by gender and class for SEIU represented classes; de-identified provided at the bottom
- Age and Class – list of incumbents by age and class for SEIU represented classes; de-identified provided at the bottom
- Race and Dept. – list of incumbents by race and dept. for SEIU represented classes; de-identified provided at the bottom

- Gender and Dept. – list of incumbents by gender and dept. for SEIU represented classes; de-identified provided at the bottom
- Age and Dept. – list of incumbents by age and dept. for SEIU represented classes; de-identified provided at the bottom

We will be available to discuss this information at our next JLMC meeting scheduled for July 18, 2018 at 1:30 at the SEIU office.

Sincerely,



Victoria Carson

Senior Employee Relations Representative

Attachments: Excel spreadsheet – SEIU PCS FT Data Request 6/27/18

cc: Members of Citywide SEIU JLMC  
 Luenna Kim, HR Director HSA  
 David Coleman, Manager SFO  
 Lori Regler, HR Director SFPL  
 Charles Castillo, HR Director FAM  
 Rhonda Simmons, LR Director DPH  
 Jesse Stanton, SEIU  
 Brenda Barros, SEIU  
 Mandana Siyadat, SEIU  
 Harold Powell, SEIU  
 Marisol Pastran, SEIU  
 Joseph Bryant, SEIU  
 Micki Callahan, Director DHR  
 Carol Isen, ER Director DHR  
 Steve Ponder, CC Director DHR  
 Linda Simon, EEO Director DHR  
 Susan Gard, Chief of Policy DHR

# Classes

<u>Class</u>	<u>Title</u>	<u>Grand Total</u>
2708	Custodian	686
2320	Registered Nurse	527
2905	HSA Sr Eligibility Worker	519
2303	Patient Care Assistant	384
8214	Parking Control Officer	310
2736	Porter	300
1406	Senior Clerk	288
9209	Community Police Services Aide	232
2940	Protective Services Worker	196
2430	Medical Evaluations Assistant	195
1404	Clerk	188
2586	Health Worker 2	174
8238	Public SafetyComm Disp	160
2918	HSA Social Worker	154
2312	Licensed Vocational Nurse	151
1822	Administrative Analyst	139
1632	Senior Account Clerk	136
2930	Behavioral Health Clinician	135
1426	Senior Clerk Typist	130
2587	Health Worker 3	126
2302	Nursing Assistant	111
9102	Transit Car Cleaner	107
3630	Librarian 1	104
2604	Food Service Worker	95
2913	Program Specialist	94
8300	Sheriff's Cadet	90
2903	Hospital Eligibility Worker	85
1842	Management Assistant	84
1408	Principal Clerk	78
2908	Sen Hospital Eligibility Wrkr	78
2328	Nurse Practitioner	74
2907	Eligibility Worker Supervisor	72
2920	Medical Social Worker	70
1324	Customer Service Agent	69
8226	Museum Guard	69
2409	Pharmacy Technician	68
2904	Human Services Technician	68
2916	Social Work Specialist	66
1428	Unit Clerk	62
9704	Employment & Training Spec 3	62
1222	Sr Payroll & Personnel Clerk	61
1446	Secretary 2	61
1820	Junior Administrative Analyst	61
2583	Home Health Aide	59



<u>Class</u>	<u>Title</u>	<u>Grand Total</u>
2706	Housekeeper/Food Service Clnr	57
1424	Clerk Typist	56
2917	Program Support Analyst	54
3632	Librarian 2	54
9212	Airport Safety Officer	52
1840	Junior Management Assistant	51
2830	Public Health Nurse	51
3286	Recreation Coordinator	51
3616	Library Technical Assistant 1	50
9131	Station Agent, Muni Railway	50
9774	Sr. Community Devl Spc 1	50
2110	Medical Records Clerk	49
9703	HSA Emp & Training Spec II	49
1630	Account Clerk	48
1929	Parts Storekeeper	48
1636	Health Care Billing Clerk 2	47
2931	Marriage, Family & Child Cnslr	47
9110	Fare Collections Receiver	47
1458	Legal Secretary 1	46
8207	Bldg & Grounds Patrol Officer	46
3618	Library Technical Assistant 2	45
1204	Senior Personnel Clerk	44
1844	Senior Management Assistant	44
2454	Clinical Pharmacist	44
2944	Protective Services Supervisor	44
2716	Custodial Assistant Supervisor	43
2932	Sr Behavioral Health Clinich	43
1934	Storekeeper	41
2468	Diagnostic Imaging Tech II	40
1634	Principal Account Clerk	39
8158	Child Support Officer II	39
1478	Senior Water Services Clerk	38
2112	Medical Record Technician	38
8108	Senior Legal Process Clerk	38
1220	Payroll and Personnel Clerk	36
3610	Library Assistant	36
8320	Counselor, Juvenile Hall	35
1450	Executive Secretary 1	34
2450	Pharmacist	34
2588	Health Worker 4	33
4308	Senior Collections Officer	32
8216	Senior Parking Control Officer	32
2424	Diagnostic Imaging Assistant	31
2914	Social Work Supervisor	29
8208	Park Patrol Officer	29
2585	Health Worker 1	28

<u>Class</u>	<u>Title</u>	<u>Grand Total</u>
1637	Patient Accounts Clerk	26
2390	Sterile Processing & Dist Tech	26
2467	Diagnostic Imaging Tech I	26
6322	Permit Technician II	25
7524	Institution Utility Worker	25
8239	Public SafetyComm Supv	25
9775	Sr Community Dev Spec 2	25
8202	Security Guard	24
2654	Cook	23
6321	Permit Technician I	23
8141	Worker's Compensation Adjuster	23
2305	Psychiatric Technician	22
1704	Communications Dispatcher 1	21
9506	Snr Permit and Citation Clerk	21
1209	Benefits Technician	20
1932	Assistant Storekeeper	20
2574	Clinical Psychologist	20
7470	Watershed Keeper	20
1812	Assistant Retirement Analyst	19
6108	Environmental Hlth Tech 1	19
8124	Investigator, Police Accountab	19
8562	Counselor, Juvenile Hall SFERS	19
9202	Airport Communications Disp	19
9504	Permit and Citation Clerk	19
2323	Clinical Nurse Specialist	18
4215	ASR Senior Office Specialist	18
9234	Airport Security ID Technician	17
1429	Nurses Staffing Assistant	16
1444	Secretary 1	16
2310	Surgical Procedures Technician	16
2624	Dietitian	16
2718	Custodial Supervisor	16
7392	Window Cleaner	16
8106	Legal Process Clerk	16
9705	Emp & Training Spec 4	16
1202	Personnel Clerk	15
2202	Dental Aide	15
2314	Behavioral Health Team Leader	15
8217	Comm Pol Svcs Aide Supervisor	15
2105	Patient Svcs Finance Tech	14
3634	Librarian 3	14
4321	Cashier 2	14
8249	Fingerprint Technician 1	14
8420	Rehabilitation Svcs Coord	14
9772	Community Development Spec	14
1210	Benefits Analyst	13

<u>Class</u>	<u>Title</u>	<u>Grand Total</u>
1635	Health Care Billing Clerk 1	13
1705	Communications Dispatcher 2	13
1708	Senior Telephone Operator	13
2606	Senior Food Service Worker	13
9116	Sr Fare Collections Receiver	13
1224	Pr Payroll & Personnel Clerk	12
3302	Admission Attendant	12
8142	Public Defender's Investigator	12
2740	Porter Supervisor 1	11
2820	Senior Health Program Planner	11
3289	Recreation Supervisor	11
4213	ASR-Office Assistant	11
8321	Counselor, Log Cabin Ranch	11
9220	Airport Operations Supervisor	11
1410	Chief Clerk	10
1813	Senior Benefits Analyst	10
2470	Diagnostic Imaging Tech IV	10
2554	Therapy Aide	10
2578	Med Examiner's Investigator II	10
2909	Hospital Elig Wrk Supervisor	10
2975	Citizens Complaint Officer	10
4320	Cashier 1	10
1480	Principal Water Services Clerk	9
1936	Senior Storekeeper	9
2330	Anesthetist	9
7362	Communications Systems Tech	9
8250	Fingerprint Technician 2	9
8529	Probation Assistant	9
9104	Transit Car Cleaner Asst Sprv	9
9203	Sr Airport Communications Disp	9
1460	Legal Secretary 2	8
1706	Telephone Operator	8
2469	Diagnostic Imaging Tech III	8
7219	Maintenance Scheduler	8
7368	Senior Comm Systems Technican	8
8143	Sr Public Defenders Invstgtor	8
8159	Child Support Officer III	8
8228	Museum Sec Supv	8
9706	Employment & Training Spec 5	8
1226	Chf Payroll & Personnel Clerk	7
1326	Customer Service Agent Supv	7
1663	Patient Accounts Supervisor	7
2114	Medical Records Tech Sprv	7
2406	Pharmacy Helper	7
2416	Laboratory Technician II	7
2818	Health Program Planner	7

<u>Class</u>	<u>Title</u>	<u>Grand Total</u>
3210	Swimming Instr/Pool Lifeguard	7
3232	Marina Assistant	7
4214	Assessor-Recorder Office Spec	7
4331	Security Analyst	7
6220	Inspector, Weights & Measures	7
8452	Criminal Justice Specialist 2	7
9508	Prpl Permit and Citation Clerk	7
1662	Patient Accounts Asst Sprv	6
2618	Food Service Supervisor	6
2622	Dietetic Technician	6
2719	Janitorial Svcs Asst Sprv	6
2910	Social Worker	6
2919	Child Care Specialist	6
2935	Sr Marriage, Fam & Cld Cnslr	6
3213	Aquatics Facility Asst Supv	6
3310	Stable Attendant	6
3522	Senior Museum Preparator	6
3549	Arts Program Assistant	6
4334	Investigator, Tax Collector	6
7227	Cement Finisher Supervisor 1	6
8165	Worker's Comp Supervisor 1	6
8204	Institutional Police Officer	6
9236	Airport Ground Transport Tech	6
9770	Community Development Asst	6
1403	Elections Clerk	5
3215	Aquatics Facility Supervisor	5
6323	Permit Technician III	5
8446	Court Alternative Specialist 1	5
1310	Public Relations Assistant	4
1430	Transcriber Typist	4
1814	Benefits Supervisor	4
1931	Senior Parts Storekeeper	4
2106	Med Staff Svcs Dept Spc	4
2204	Dental Hygienist	4
2533	Emergency Med Svcs Agency Spec	4
2770	Senior Laundry Worker	4
2922	Senior Medical Social Worker	4
2991	Coord, Human Rights Comm	4
2996	Rep, Human Rights Comm	4
3556	Museum Registrar	4
3602	Library Page	4
5322	Graphic Artist	4
8210	Head Park Patrol Officer	4
8211	Supv Bldg Grounds Patrol Ofcr	4
9122	Transit Information Clerk	4
9126	Transit Traffic Checker	4

<u>Class</u>	<u>Title</u>	<u>Grand Total</u>
1218	Payroll Supervisor	3
1402	Junior Clerk	3
1431	Senior Unit Clerk	3
1440	Medical Transcriber Typist	3
1664	Patient Accounts Manager	3
1750	Microphoto/Imaging Technician	3
1752	Sr. Microphoto/Imaging Tech.	3
1760	Offset Machine Operator	3
1764	Mail & Reproduction Svc Sprv	3
1770	Photographer	3
2392	Sr Cent Proc & Dist Tech	3
2656	Chef	3
2738	Porter Assistant Supervisor	3
3283	Recreation Specialist	3
3558	Senior Museum Registrar	3
7243	Parking Meter Repairer Sprv 1	3
7416	Book Repairer	3
8234	Fire Alarm Dispatcher	3
8251	Fingerprint Technician 3	3
8564	Counselor, Log Cabin Rnch SFERS	3
9117	Pr Fare Collections Receiver	3
1802	Research Assistant	2
1920	Inventory Clerk	2
1938	Stores & Equip Asst Sprv	2
2536	Respiratory Care Practitioner	2
2575	Research Psychologist	2
2579	Med Examiner's InvestigatorIII	2
2619	Senior Food Service Supervisor	2
2626	Chief Dietitian	2
2650	Assistant Cook	2
3376	Animal Care Asst Supv	2
3450	Agricultural Inspector	2
3525	Chief Preparator	2
3554	Associate Museum Registrar	2
4306	Collections Officer	2
5264	Airport Noise Abatement Spec	2
7259	Water & Power Maint Sprv 1	2
7270	Watershed Keeper Supervisor	2
8139	Industrial Injury Investigator	2
8316	Assistant Counselor	2
9124	Sr Transit Information Clerk	2
1432	Senior Transcriber Typist	1
1435	Shelter Officer Supervisor	1
1437	Shelter Office Asst Supv	1
1474	Claims Process Clerk	1
1710	Chief Telephone Operator	1

Class	Title	Grand Total
1771	Media Production Specialist	1
1922	Senior Inventory Clerk	1
1924	Materials/Supplies Supervisor	1
1926	Sr Materials & Supplies Sprv	1
1937	Supervising Parts Storekeeper	1
2325	Nurse Midwife	1
2408	Senior Pharmacy Helper	1
2436	Electroencephalograph Tech 1	1
2514	Orthopedic Technician 1	1
2515	Orthopedic Technician 2	1
2522	Senior Morgue Attendant	1
2523	Forensic Autopsy Technician	1
2552	Dir of Act, Therapy & Vol Svcs	1
2565	Acupuncturist	1
2608	Supply Room Attendant	1
2720	Janitorial Services Supervisor	1
2915	Program Specialist Supervisor	1
2998	Rep, Comm Status of Women	1
3292	Asst Superintendent Rec	1
3371	Animal Care Supervisor	1
3375	Animal Health Technician	1
3518	Assoc Musm Cnsrvt, AAM	1
3520	Museum Preparator	1
3633	Librarian 2 - Asian Arts	1
4322	Cashier 3	1
4337	Pr Investigator, Tax Collector	1
4366	Collection Supervisor	1
5271	Sr Airport Noise Abatement Spe	1
7211	Cement Finisher Supervisor 2	1
7268	Window Cleaner Supervisor	1
7324	Beautician	1
7418	Senior Book Repairer	1
7454	Traffic Signal Operator	1
8109	Document Examiner Technician	1
8236	Chief Fire Alarm Dispatcher	1
8318	Counselor 2	1
9128	Senior Transit Traffic Checker	1
9204	Airports Communications Sprv	1
9708	Employment & Training Spec 6	1
H001	Fire Rescue Paramedic	1
O035	Management Assistant II (OCII)	1

Ida McCray

425 London St

San Francisco, CA 94112

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2018 SEP 24 PM 1:20

BY JB

To: Board of Supervisors

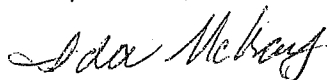
Re: Hearing 9/19/2018

I am submitting this document where I feel that I was denied justice from DHR. I submitted paperwork where the people I work around (their emails) made fun of me, and later removed me from my site although I have more seniority than anyone in the San Francisco Sheriffs Dept. (8420) classification.

I was surprised that at the hearing there were many people who received the same letter. I was told "off cuff" that DHR is "in bed" with the sheriff's department. But I tried to receive justice anyway.

I am presently working with my union and Sheriff Hennessey in the hopes that the discrimination and harassments stops.

Thank you



Ida McCray, MA, CDVF, CAMF

[Idais1@me.com](mailto:Idais1@me.com)

415 999-8084 (cell)

Cc:

Union SEIU



City and County of San Francisco  
Micki Callahan  
Human Resources Director



Department of Human Resources  
*Connecting People with Purpose*  
www.sfdhr.org

**CONFIDENTIAL**

August 9, 2018

Aida McCray  
425 London Street  
San Francisco, CA 94112

Via U.S. Mail

RE: Complaint of Discrimination, EEO File No. 2732

Dear Ms. McCray:

The San Francisco Charter, Section 10.103 and Civil Service Rule 103 provide that the Human Resources Director shall review and resolve complaints of employment discrimination. The Charter defines discrimination as a violation of civil rights on account of race, religion, disability, sex, age, or other protected category. The City and County of San Francisco (City) considers all allegations of discrimination a serious matter. The purpose of this letter is to inform you of my determination regarding your complaint.

On February 13, 2018, you came to the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO) and spoke to Vanessa Doyle, EEO Programs Senior Specialist. You reported to Ms. Doyle your allegations that Five Keys Charter School employees Deborah Caruso, Jacqueline Gordon, Sonny Schwartz, and Steve Good discriminated against you due to your age (over 40 years old) and race (African American), and retaliated against you.

Please be advised that based on the information you provided, your allegations are insufficient to continue the investigation because they do not raise an inference of discrimination or retaliation. Therefore, DHR EEO will administratively close your complaint without further investigation. I recognize that the conduct alleged was upsetting to you and it may have been difficult for you to make your complaint. I want to thank you for bringing your concerns to my attention.

**I. BACKGROUND AND ALLEGATIONS**

You are employed as an 8420 Rehabilitation Services Coordinator at the San Francisco Sheriff's Department (SFSFSD). You work at the Women's Resource Center with Five Keys Charter School employees, including Ms. Caruso, Ms. Gordon, Mr. Schwartz, and Mr. Good.

In October 2017, during a meeting about plans to revamp the Women's Resource Center, Mr. Good proposed a barista training program, and you voiced your opposition to his idea. You alleged Ms. Caruso, Ms. Gordon, Mr. Schwartz, and Mr. Good retaliated against you for opposing Mr. Good's idea by conspiring against you to have you removed from the Women's Resource Center and filing a complaint alleging that you directed an SFSFSD intern to look at

pornographic images. You also believe the Five Keys employees hope to turn the Women's Resource Center into a homeless shelter and want to replace you with a "yes person" and get rid of you because you are a "truthsayer," "see through their bullshit," and want to do what is best for your clients.

In the alternative, you alleged Ms. Caruso, Ms. Gordon, Mr. Schwartz, and Mr. Good sought to have you replaced due to your age and your race, but when Ms. Doyle asked you why their conduct was related to your age and race, you said you were still "trying to figure that out" and did not provide additional information.

In November 2017, you received a "Formal Notice of Investigation and Interview" from Lieutenant C. Flewellen at SFSD's Internal Affairs Unit (IA) stating that you were under investigation for allegedly working on personal projects unrelated to SFSD business while on duty and directing SFSD interns to assist on a project unrelated to SFSD business. On November 21, 2017, Lieutenant Flewellen and Sergeant Kim interviewed you regarding the allegations, which you denied.

## **II. INVESTIGATIVE STANDARDS AND ANALYSIS**

### **A. Insufficient Allegations to Support Discrimination**

To initiate an investigation, a discrimination complaint must sufficiently allege all of the following: (1) you are a member of a protected category; (2) you suffered an adverse employment action; and (3) you suffered an adverse employment action because of your membership in a protected category. An adverse employment action is any materially adverse action affecting the terms, conditions, or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement. To be material, the employment change, impairment, or injury must be more disruptive than a mere inconvenience or an alteration of job responsibilities. Instead, it must be both detrimental and substantial.

You alleged Ms. Caruso, Ms. Gordon, Mr. Schwartz, and Mr. Good discriminated against you due to your age and race by conspiring to have you removed from the Women's Resource Center and filing a complaint alleging you directed an SFSD intern to look at pornographic images, which resulted in an IA investigation. You are a member of a protected category based on your age and race; however, you have not suffered an adverse employment action. A mere investigative interview into allegations that you violated SFSD policy is a legitimate personnel action and is not an adverse employment action, particularly where there has been no final action. In addition, you did not allege sufficient information to support an inference that the Five Keys employees' conduct was done because of your age or race. Therefore, your allegations do not raise an inference of discrimination and will not be investigated further.

### **B. Insufficient Allegations to Support Retaliation**

To initiate an investigation, a retaliation complaint must sufficiently allege all of the following:

(1) you engaged in a protected activity; (2) you suffered an adverse employment action; and (3) there is a causal link between the protected activity and the adverse employment action. An employee engages in a protected activity when she opposes conduct she reasonably and in good faith believes to be discriminatory, or when she files a charge, testifies, assists, or participates in an investigation of discrimination. An adverse employment action is any objectively materially adverse action affecting the terms, conditions, or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement, or those that would dissuade a reasonable employee from supporting a discrimination complaint.

You alleged Ms. Caruso, Ms. Gordon, Mr. Schwartz, and Mr. Good retaliated against you for voicing opposition to Mr. Good's barista training program idea by filing a complaint alleging you directed an SFSD intern to look at pornographic images, which resulted in an IA investigation against you. However, these allegations do not fall within the City's EEO complaint procedures because you have not alleged they engaged in this conduct due to your participation in a protected activity. Voicing opposition to Mr. Good's idea does not constitute the making of or participation in a discrimination complaint. In addition, as set forth above, you have not suffered an adverse employment action. Therefore, your allegations are insufficient to raise an inference of retaliation and will not be investigated further.

### **III. HUMAN RESOURCES DIRECTOR'S DETERMINATION**

Based on the information you provided, it is my determination that your complaint, EEO File No. 2732, will not be investigated further and is administratively closed. My decision is final unless it is appealed to the Civil Service Commission and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Room 720, San Francisco, CA, 94102, within 30 calendar days from the postmarked mailing date of this letter.

For your information, you may also file a complaint of employment discrimination with the California Department of Fair Employment and Housing or the United States Equal Employment Opportunity Commission. Contact these agencies directly for filing instructions and deadlines.

We appreciate that you reported your concerns so that they may be reviewed. Please feel free to contact Linda C. Simon, Director, EEO and Leave Programs, Department of Human Resources, at (415) 557-4837, should you have any questions.

Sincerely,



Micki Callahan  
Human Resources Director

c: Linda C. Simon, Director, EEO and Leave Programs, DHR

## **Carroll, John (BOS)**

---

**From:** Carroll, John (BOS)  
**Sent:** Friday, September 21, 2018 11:24 AM  
**To:** 'jones-allen@att.net'  
**Subject:** FW: Committee file No. 180630  
**Attachments:** bag041613\_130279.pdf

**Categories:** 180630

Thanks for your message, Mr. Jones.

Your letter has been distributed to the Board members and added to the official file for this hearing matter.

Best to you,

**John Carroll**  
**Assistant Clerk**  
Board of Supervisors  
San Francisco City Hall, Room 244  
San Francisco, CA 94102  
(415) 554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

---

**From:** Board of Supervisors, (BOS)  
**Sent:** Friday, September 21, 2018 11:22 AM  
**To:** Carroll, John (BOS) <john.carroll@sfgov.org>  
**Subject:** FW: Committee file No. 180630

---

**From:** Board of Supervisors, (BOS)  
**Sent:** Thursday, September 20, 2018 4:44 PM  
**To:** BOS-Supervisors <[bos-supervisors@sfgov.org](mailto:bos-supervisors@sfgov.org)>  
**Subject:** FW: Committee file No. 180630

---

**From:** Allen Jones <[jones-allen@att.net](mailto:jones-allen@att.net)>  
**Sent:** Thursday, September 20, 2018 11:06 AM

To: Carroll, John (BOS) <[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)>; Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
Cc: L Waxmann <[lwaxmann@sfexaminer.com](mailto:lwaxmann@sfexaminer.com)>; [metro@sfchronicle.com](mailto:metro@sfchronicle.com); newstips <[newstips@sfexaminer.com](mailto:newstips@sfexaminer.com)>  
Subject: Committee file No. 180630

Attention: All Members of the San Francisco Board of Supervisors And Members of Government Audit & Oversight Committee:

I have been following racism in San Francisco for quite some time. When I attended the committee hearing, dealing with workforce hiring, retention and promotional opportunities, I knew the outcome from the first person to speak, SF Director Micki Callahan.

How can the main problem of racist treatment by San Francisco's HR department be allowed to offer solutions?

If Ms Callahan was successful she would be getting credit for a problem she allowed to go on under her watch for so long. In other words, the headline would read: **San Francisco's Racist HR director gets credit for fixing San Francisco's racist practices.**

I have been to many forums in San Francisco where Black city workers vent about how badly they have been treated by San Francisco's HR department. The name I continue to hear quite often is Micki Callahan.

The attached settlement document is how I first learned of who Ms Callahan was in 2013. The City paid Thomas Willis \$210,000.00 where Micki Callahan was one of the defendants in a discrimination lawsuit against The City.

The shame of this particular settlement proves that a heterosexual Black male is not welcome in The City's Human Rights Commission, which was formed in 1964 to fight discrimination or racism against San Francisco Blacks.

Yesterday's hearing was a lipstick on a pig hearing. The woman currently charged with fixing the problem of racist treatment against Black city workers has been at the least covering up racist treatment for The City for years.

Secondly, I submit this link to an article where I am the author. This was not mentioned at the hearing but when one considers the understandable two minutes given to members of the public, this tells a more full story of what many Black employees have experienced:

<http://sfbayview.com/2016/10/bizarre-sf-juvenile-hall-dog-and-pony-show/>

But I need to explain why I wrote it. I sat in the court room for most of the testimony in this case, which I learned of by reading the SF Examiner. The Examiner and the Chronicle took no interest in this case of what I view as injustice. They simply lost interest because the plaintiff Byron Gill lost his case. In reading the piece it is clear there is more to a story than a courtroom defeat.

Opinion on Implicit bias training:  
<http://gbmnews.com/wp/archives/15976>

I know The City is sold on the need for this training. But if you carefully look at how Mikie Callahan has done her job it appears that she has exempted herself from this training. There is nothing implicit about her bias and her subordinates know it.

Allen Jones  
[jones-allen@att.net](mailto:jones-allen@att.net)

(415) 756-7733  
goodneighborcoalition.org

The only thing I love more than justice is the freedom to fight for it.  
--Allen Jones--

File No. 130279

Committee Item No. 8

Board Item No. 11

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 4/4/13

Board of Supervisors Meeting

Date 4/16/13

#### Cmte Board

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|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
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#### OTHER

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Completed by: Linda Wong

Date 4/1/13

Completed by: L.W.

Date 4/9/13

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.



[Settlement of Lawsuit - Willis v. CCSF, et al. - \$210,000.00]

Ordinance authorizing settlement of the lawsuit filed by Thomas Willis against the City and County of San Francisco for \$210,000.00; the lawsuit was filed on January 13, 2012, in United States District Court, Northern District of California, Case No. CV 12-0231 JSW; entitled Thomas Willis v. City and County of San Francisco, et al.

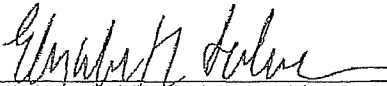
Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled Thomas Willis v. City and County of San Francisco, et al., United States District Court, Northern District of California, Court No. CV 12-0231 JSW by the payment of \$210,000.00.

Section 2. The above-named action was filed in United States District of California, Northern District of California, and the following parties were named in the lawsuit: Plaintiff Thomas Willis and Defendants City and County of San Francisco, Theresa Sparks and Micki Callahan.

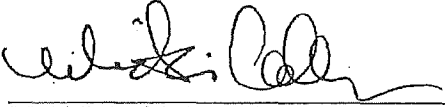
APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

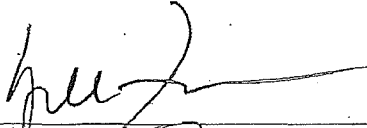
  
ELIZABETH SALVESON  
Chief Labor Attorney

RECOMMENDED:

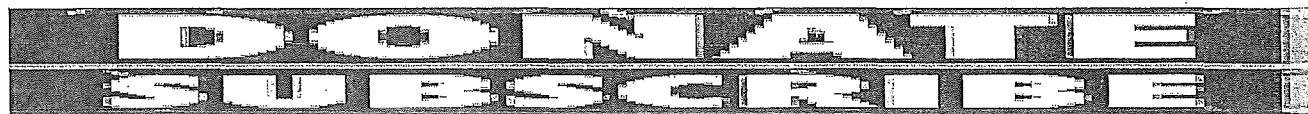
DEPARTMENT OF HUMAN RESOURCES

 2/7/13  
MICKI CALLAHAN  
Department of Human Resources, Director

FUNDS AVAILABLE:

  
BEN ROSENFELD  
Controller

Index Code: 975048  
Sub Object: 05312  
OFFICE OF THE CITY ATTORNEY  
BOARD OF SUPERVISORS



## Bizarre SF Juvenile Hall dog and pony show

Select Language

Powered by Google Translate

October 17, 2016

by Allen Jones

The "Merit Center" at the San Francisco Juvenile Justice Center is a new room at the detention facility designed to reward kids for good behavior.

According to staff, it was "100 percent complete" eight months ago. According to Juvenile Justice Center Chief of Probation Allen Nance, it is "95 percent complete" as of Oct. 6, 2016, and will be ready in "a few weeks." This is the Merit Center:

Merit Center 375 Woodside SF



No kid will be able to enjoy or play one game in this new room, until Allen Nance is finished playing the bizarre game I will call “Dog and Pony.”

In response to my nosy questions to Nance, he responded, “Flooring is uneven,” it needs some “painting” in some spots and the program to run it has been sent back to his underlings “for revisions.”

Please! Liar is a strong word but I cannot find a softer word to describe how this politician is playing a longtime advocate for a fool.

Viewing the video, it's a concrete floor with no construction defects. And according to staff, no painter has been needed in the area “for months.” And though I could be wrong, I don't think it takes two probation chiefs, a director of the detention facility and all the supervisory staff eight months to revise a program designed to reward some of the on average 40 kids a day for good behavior.

The two probation chiefs:

Allen Nance hired a consultant some time ago to help him. His name is William Siffermann. Yes, he's the last chief probation officer for the SF Juvenile Justice Center, who retired after bringing Allen Nance in from where they both worked in Chicago. This gives a new meaning to the term milk money.

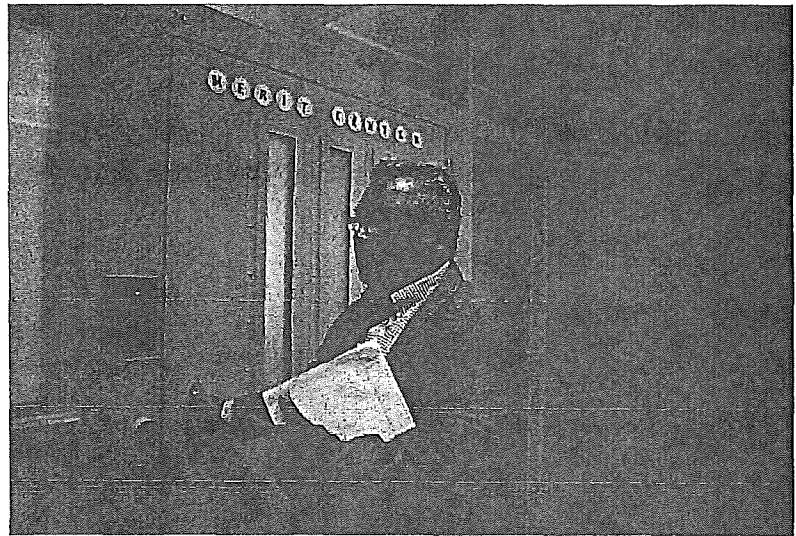
For months staff have been told, when they asked during monthly meetings with Luis Racinos, the director of Juvenile Hall, that the Merit Center was “waiting for the mayor” to cut the ribbon in a ceremony. Assistant Chief of Probation Paula Hernandez was present in several of those supervisory staff meetings, according to others in attendance.

Director Racinos and Chief Nance both told me they never said they were waiting on the mayor to cut a ribbon. So why the delay?

Again, I could be wrong, but political games played at the expense of troubled youth is why we have too many troubled youth. In other words, based on the fact that Allen Nance has conducted many look-at-what-I-did tours of the Merit Center since it was completed eight months ago, his dog and pony shows must be completed before he allows any of the kids to pet the dog or ride the pony.

But since I got nosy, he will be hurrying up a call to Mayor Ed Lee to cut the bull ... I mean ribbon.

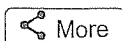
*Allen Jones was a Bible study teacher at San Francisco's Juvenile Hall from 1983 to 1993 in their*



Juvenile Justice Center Director Luis Racinos walks into the Merit Center – ready but as yet unopened – at the Juvenile Justice Center's Woodside Learning Center on Wednesday, July 20, 2016. Racinos is reportedly eager to open the center. – Photo: Lea Suzuki, SF Chronicle

*"maximum security unit." You can now hear what he has to say on public access TV. The Angelic Troublemakers airs in San Francisco only, from 4:30 to 5 p.m. every Saturday on cable Channel 29. He can be reached at [jones-allen@att.net](mailto:jones-allen@att.net).*

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0

Getting in touch with Musical.ly offers Apple a brand-new advertising location The app will certainly advertise Apple's paid.

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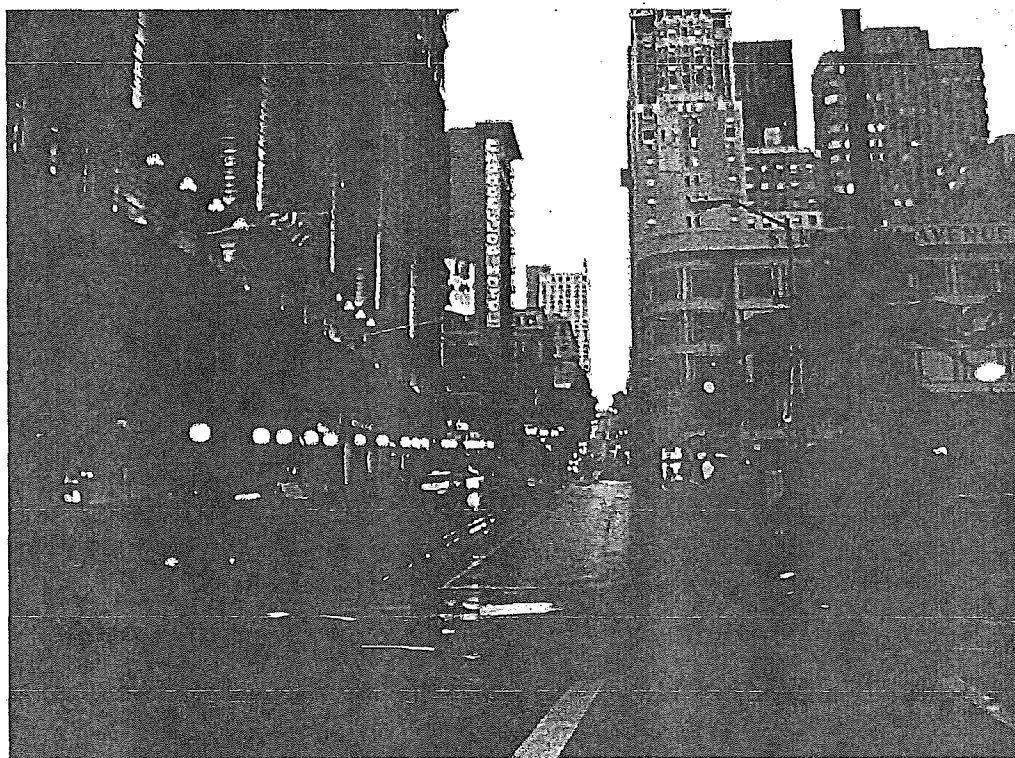
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UA-17284593-3



## SF City Hall Implicit Bias Awareness Training, April fool's!

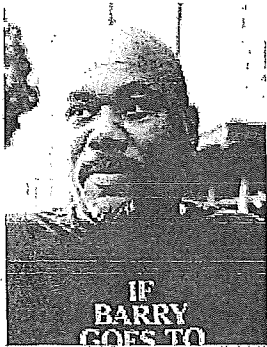


Before the racist and homophobic text message scandal involving the SFPD came to light in March of 2015, the mayor's office, the SF Human Rights Commission and the SF Department of Human Resources scheduled an April 1, 2015 pilot program titled: 2015 Implicit Bias Awareness Training and Workshop.

This implicit bias training was the idea of HRC president **Susan Christian** and some could argue that it was timely.

On the other hand, some could argue, enough of the pointless training. Pink slips to people who just don't get is a more cost effective way to remind many city employees what many mothers already taught their now adult children,

common courtesy and respect for all.



By Allen Jones

Before we go down the road of spending city funds on more training that ultimately does not curb a lot of negative behavior that can be tough to detect upon hiring city employees, we should take a long hard look at this and other training programs because there is strong evidence to suggest that too many of these well-intended programs are not working.

The HRC executive director **Theresa Sparks**, tapped \$30,000.00 from an existing, year 2015, \$80,000.00 LGBT violence prevention grant, to get the implicit bias pilot program off the ground. She is hoping to find a larger grant for future training.

The goal is to make it city policy to, have implicit bias training for all 27,000 city employees. To many, especially the vast majority of city employees this would seem to be a waste of time, money and energy. All city employees' work under the same code of ethics as stated in the city charter.



SF HRC Chairperson Susan B. Christian (right)

However, anti-discrimination training or anti-sexual harassment training, already in place for years seems to have gone in and out of the ears of some. Neither of these trainings prevented a current White female SF department head from discriminating against a Black male staffer, costing the city \$210,000.00 in a lawsuit settlement. And the outrageous revelation that another city employee was allowed to keep his job as a SF deputy sheriff after he forced county jail inmates to perform sex acts on him in 2006 led to more outrageous conduct by

this same city employee. He is now accused of being the ring leader in county jail gladiator fighting between inmates, where betting on the outcome was part of the motive.

"Implicit bias refers to the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Residing deep in the subconscious, these biases are different from known biases that individuals may choose to conceal for the purposes of social and/or political correctness. Rather, implicit biases are not accessible through introspection."



A better way to explain implicit bias: A White woman is riding her bicycle mind you. She looks over her right shoulder and sees a Black man sitting in a pick-up truck eating. She then checks her back pocket, while still pedaling to check to see that she has her wallet. This true event is negative implicit bias. And most people know that respecting others has allowed them to sail through life without too many conflicts due to bias that we all hold onto for various reasons.

Kimberly Papillon is an attorney and a Senior Education Specialist at the California Judicial Council's Administrative Office of the Courts in the Education Division. This professor conducted the April 1, 2015 Implicit Bias training session for the city. Her total compensation of \$7500 is for the following:



Leading three 6 hour presentations to San Francisco City employees on the role of neuroscience and implicit bias in decision-making in the public service, customer service, leadership, and civic agencies.

Facilitating four 1-hour preparatory meetings with HRC and the San Francisco Department of Human Resources staff to establish project goals, communication, and confirmation of work plan.

Engaging City employee participation in:

1. Learning how unconscious reactions and thoughts affect leadership or management style.
2. Recognizing unconscious attitudes and preferences.
3. Applying policies, accessing resources, succession planning, and implementing new practices and innovations in the workplace can be helped or hurt by unconscious processes, biases, and preferences.
4. Identifying ways to increase fairness and equity, guided by science.
5. Providing City employee participants with the tools necessary to address unconscious thoughts and reactions.

San Francisco has more than 90 commissions and boards and many city department heads for the various city agencies that help the city run. At this first six hour session, ten department heads attended the all-day event. Most notably was the SF Chief of Police, whom along with the city, settled a bias filled lawsuit as defendants, three weeks after his implicit bias training.

If the estimated 27,000 San Francisco city employees over the next few years are ordered to take implicit bias training, just six hours of training for that one program totals over \$7 million in lost productivity when you consider, according to a 2010 report, the average city employee made over \$93,000.00 a year.

The man hours for all city employee training programs adds up to millions of dollars directly or indirectly. Though most of these funds are monies well spent by city government, a lot of money is wasted by training people who just don't get it. And those who do get it, do not need to be sitting in a room for hours being retrained on what their mothers instilled in them before adolescents.

However, when the president of the SF NAACP Rev. Amos Brown was asked to comment on the SFPD text scandal, he responded by reminding us all that implicit bias training is fine but, what about the overt and blatant racism against SF Black community that is being overlooked or swept under the rug by today's

City Hall?

City Hall must think we are fools by offering more training when, spending far less money to terminate some high level city servants will send a much stronger message to all city employees that their petty attitudes will not be tolerated.



**admin**

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## Office of the Mayor

### News Releases

The latest news and announcements from Mayor London N. Breed

#### MAYOR LONDON BREED ISSUES EXECUTIVE DIRECTIVE TO ENCOURAGE RECRUITMENT AND RETENTION OF DIVERSE WORKFORCE

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Posted Date: Thursday, September 20, 2018

FOR IMMEDIATE RELEASE:

Wednesday, September 19, 2018

Contact: Mayor's Office of Communications, 415-554-6131

\*\*\* PRESS RELEASE \*\*\*

#### MAYOR LONDON BREED ISSUES EXECUTIVE DIRECTIVE TO ENCOURAGE RECRUITMENT AND RETENTION OF DIVERSE WORKFORCE

*Executive Directive creates two full-time positions to focus on diversity recruitment, expands harassment and implicit bias training*

San Francisco, CA – Mayor London N. Breed has signed an Executive Directive to encourage the recruitment and retention of a diverse workforce for the City and County of San Francisco.

“San Francisco’s diversity is one of our biggest strengths and our City’s workforce should reflect the numerous communities we serve,” said Mayor Breed. “We have successfully instituted a number of important diversity initiatives including anti-bias training and a nationally-recognized conviction history program that have led to our workforce being more diverse than our local labor market, but there is still plenty of work to be done. This Executive Directive will ensure that our City departments have clear, consistent standards for recruiting and retaining a qualified, diverse workforce.”

Despite making significant progress, the City still struggles for diversity in some roles. Some City departments have targeted recruitment programs but there is not currently a consistent set of standards to attract a diverse applicant pool. Furthermore, the City lacks a centralized reporting and tracking mechanism to ensure the workplace is free of harassment, bias, and discrimination, which is key to retaining diversity in employment.

“San Francisco has a diverse workforce we can all be proud of,” said Human Resources Director Micki Callahan. “But with the Mayor’s strong leadership there is more we can do to ensure our workplaces are inclusive and fair for all employees.”

The Directive specifies four actions to be taken:

1. The Department of Human Resources (DHR) will hire two full-time staff members to focus on diversity recruitment, who will

serve as a centralized resource to all City departments to support diversity recruitment and ensure outreach efforts are coordinated and effective.

2. DHR will significantly expand its harassment prevention, implicit bias, and cultural communications training to include significantly more City employees.
3. All City departments will begin reporting instances of disciplinary action to DHR so potential problematic areas, divisions, or problem areas can be quickly identified and addressed.
4. DHR will convene a group of stakeholders which represent City departments, labor unions, and stakeholders to continue a discussion of ways the City can improve diversity and equity in the workplace.

The Executive Directive goes into effect immediately.

###

My name is Brenda Barros I have worked for the City of San Francisco in DPH, my first day was Jan 1, 1979. As a worker in Medical Records and then Richard Fines Peoples clinic I have seen many things that are just not right happening and felt compelled to speak up. I have to say that in many cases black employees who get hired find themselves in hostile work environments. We end up with 3 choices

1. Tolerate it because you need to feed your family and fear retaliation.
2. Quit and head for the hills
3. Stand up for yourself. The only problem is most who speak up become ostracized, targeted over and over till they can get you

out.

I have a couple of questions I need answered.

1. Why did the director of Department of Human Resources target in Public Health the 2 largest classification with large numbers of blacks for pay cuts and then go to court to make sure it happened? Thank god she lost, but those workers are still suffering. Some of you should remember deskilling and how horific it was and is.
2. Why are there no blacks on the Human Resources directors executive team?
3. When will we get real accountability for the state of the workforce and racist behaviors?
4. When will there be a Black person on the

Civil service commission not a employee of it but sit on the board?

The data folks shows San Francisco has a problem with lack of real diversity in its ranks and discrimination. You have a choice today to let the Director of Human Resources once again pass off training alone as the answer or make real structural changes.

I have many personal stories but the one that stands out the most and applies is how because I am me (black) the stereotypes seem to always come up in others disructions of me and other blacks. I hear these same terms no matter how high up the Black employee is. There not as bright, aggressive, dosent know enough, they assume we don't sky or swim , things like

that. Over time these things do have an effect you start to downplay being yourself.

I would also like to say that I know the Mayor wants to Bring in marganilized people in from the community. But if these people come into the current system many will not be successful as the biases will be waiting for them. There are minimal protections for new employees they need to get due process rights for fairness.

I would also like to ask that there be more board oversight over the data that needs to be collected. There should also be exit surveys for employees who leave focused on thing like discrimination, work enviornments and one of the questions should be, why did you leave?



There also needs to be a Black on the civil service commission not that the people on it are bad but there is not one on the commission who can fully understand the discrimination issues. The past decisions related to this matter bare that out.

This is just the beginning

Brenda Barros

City employee

925-437-0593

EDWARD SIMPO

SSN

Classification 8238

1988 - 1993

Resigned

PREISM

1999 - September 14<sup>th</sup> 2018

Resigned

Unfair  
Treatment

Retaliation - For Filing a complaint(s)

Velled at by Supervisors Managers  
Coworkers,

Was told to just RUN the other way  
when brought to the attention of the  
department during a Skelly Hearing.

Falsely ACCUSED of engaging in altercations  
And there are no cameras in the  
workplace, to support the truth.

415 618 9334

edwardsimp01@gmail.com  
vintage2e@hotmail.com

I would like to continue my career  
with another department.

September 19, 2018

Statement of Norma Nelson  
(510) 754-6353

To: City and County of San Francisco  
Government Audit and Oversight Committee

nnorma31@gmail.com

RB: Agenda Item 6 - 180630

Hearing - African-American Workforce Hiring, Retention, and  
Promotional Opportunities - Workforce Discrimination and Complaints  
Sponsors: Kim, Peskin, Fewer, Ronen, Cohen and Safai

I was present at the hearing today and presented a speaker card. I am writing this note for the official record and action since I may not be able to speak. Also, to go on official record.

I am an African American female with a Master's degree in Finance. At the time that I was forced to take an early retirement, (2012) my salary at the Port of San Francisco was approximately \$110,000 per year. My retirement income of approximately \$21,000 per year did not include the disability retirement and long-term disability income that was a benefit denied me by the City and County of San Francisco. Why because Elaine Forbes made it it business to fire me when she became Finance Director for the Port of San Francisco.

Unfortunately, I slipped and fell on my back in the lobby at the Port Administration building. The injury symptoms did not show up until later. I filed a worker's compensation notice but did not take action.

My job as Principal Administrative Analyst involved assuring that laws rules and regulations governing contracting at the Port of San Francisco were complied with and meeting the contracting needs for Port operations and administration. Unfortunately, Port staff only wanted to hire consultants and contractors that looked like them and they liked. I uncovered a number of inappropriate contracting activities, including discrimination against African American consultants/contractors seeking contracts with the Port.

Rather than my supervisors and managers supporting compliance with non-discrimination, the full force of the SFHRC, City Attorney decided to investigate me and subject me to a hostile work environment. The hostile work environment was so bad that eventually my back went completely out and I have not been able to work full time, consistently since 2012.

Yet, when I filed for a request for light duty, transfer to another department, I was denied. Elaine Forbes demanded that I do work while on disability leave and denied my disability retirement as well as long-term disability benefits.

I filed a discriminatory hostile work environment and harassment claim with the City. There was an "investigation", but I was never contacted. The current Director, Micki Callahan determined that I had not been harassed, or my complaints were without merit.

I am requesting that my case be re-opened.

Gemma Gelson

Thank you Board of Supervisors, my name is Ellen Lee Zhou. I am a Behavioral Health Clinician for Public Health for more than 10 years.

I am a Bargaining Team member and union delegate for our public employees.

The Federal Agents have been investigated management corruption since 2011, many of our union members and public workers being interviewed by the FBI agents. I was one of the workers being interviewed by the Federal Agents.

Many public employees have been going to Civil Service Commissioners to report extortion, discrimination, harassment and retaliation, many public employees protested in December 2015, 2016, 2017 and 2018 on-goingly for discrimination and harassment in our work places, specially targeted minorities workers. I, myself testified in front of Civil Service Commission about discrimination, harassment, extortion, bribery and retaliation on 08/15/2016 and 09/18/2017 some other occasions.

I, myself brought five public employees to Ethics Commission department to report retaliation between April to June 2017, but we were told our records and files being missing. We testified in front of Ethics Commission on 03/16/2018 and again on 07/20/2018.

You, all the Board of Supervisors can make a different in all public employee's work lives. We, the public employees, just like you, serving our public, our residents and tourists in San Francisco. We hope you, as Board of Supervisors make some policies to hold management staff accountable for their violations, including remove them from their positions and let those who can follow the laws to protect our public employees. Thank you for working together to ensure all workers treat equally with respect and dignity. Ellen Lee Zhou, 09/19/2018

### Timeline of events

6/9/15 I spoke with Rachel Gardunio about reinstate or reappointment for open position as 7341.

At that time I was told by Dee Cutino they were short staffed and need qualified employees. So, I contacted her, she sent information regarding the process and the rules.

6/29/15 I got an email from Carlos Cervantes and at that time I filled the form out and contacted Edwin Serrano, who also informed me of the shortage of 7341; and at that time there was not a 7343, position available. I then agreed to go back to the position of 7341.

7/1/15 I received email from Edwin Serrano, stating that he had gotten the form and sent it to the appropriate departments.

So during the month of July, I spoke with Paul Gambon, who at the time seemed to welcome my request, and was told that he would speak to Lee Okamoto and signed off on the reappointment. I was shocked from the phone conversation, he felt I knew my job as a senior in the Sunol treatment plant, I had done a good job is what I was told. That made me feel a lot better because Joe Guerra had robbed me of self-esteem and caused me to leave the job under stress and duress, because of his discriminating practice, while employed under his leadership, I was actually exhausted with his hostile work environment. So, I thought everything was good. So, I let Dee Cutino know the good news, as my Worker comp case was still open. So, a series of things transpired since I talked, Paul retracted his words, after he found out I still had an open case, I believe it was Joe who told him not to rehire me even though he is Joe manager.

2. Will send supporting email documents of conversation and timing.

Then there began the games of lies and semantics to strategically deny and retaliate against me.

This whole thing stems from Joe and the hidden culture of nepotism and cronyism that goes on in the department that I had stomached for years. I know for sure a person of color who stands on the rights is something that is frowned upon in this department. They hide and bend the motive, for wrongful doings and discipline is not fair, and thousand other things just in 5/13/13 my psyche had enough to the point I realized people really go postal. I remember everything about my employment with this government agency. Even, in negotiations with workers comp attorney, I asked to go back to my position.

Witness as such will be listed in regards to account and description

1. Demetrious Cutino "States that Paul told him he was bringing me back"

He also, know that I was sick of Joe, and his racist jokes, calling me Sista Soulja and referring to him as my brother buckwheat. 408-687-8436

2. Robert Moore witness the constant harassment of Joe Guerra to myself 510-967-8062

3. Ed Akter had a worker comp case against Joe. 510-727-1896

4. Sunil Sengal had a worker comp case against Joe 650-580-5710

5. Paul KO had a workers comp case against Joe. Joe personally told me that he better stop fucking with Paul Ko, before he comes to work and kick his ass in his pajamas. ( at the time I did know what was meant but it was racist because of the gi that they use in martial arts)
6. Steve Rotondo 916-666-9190 knows about the system lies and favoritism.
7. Rich O'Neil I know about Joes harassment 510-512-4903
8. Adrian Ibarra worker comp attorney 562-743-7891 who the account and details of harassment, doctors reports etc.
9. Doctor Phillip McFarland psychologist 510-688-4445 who help me with my depression.
10. Matt Cordua 559-908-8902, he told by Odell Gibbs not to call me Sista Soulja and sent me picture of my certificate with name Estelle Guerra.
11. Odell Gibbs 510-355-7075

Due to Statue of limitations

This all started with my flight to get away from Joes harassment, I literally heard my mind outside of it body on 5/13/13, Tell me to take the chair a bust it over his motherfucking head!

I will email support email documents to this also

## EXCERPTS FROM CIVIL SERVICE COMMISSION RULE 114 – APPOINTMENTS

### ARTICLE V: REAPPOINTMENT

#### Section 114.30 Reappointment

- 114.30.1 A permanent appointee who has completed the probationary period who resigns and whose services have been certified as satisfactory by the appointing officer, or except as otherwise ordered by the Commission in the case of services certified as unsatisfactory, shall be permanently separated from such appointment except as follows:
- 114.30.2 Except for the members of the uniformed ranks of the Police and Fire Department, upon request on the prescribed form within a four year period after the effective date of the resignation, the resignee with the approval of an appointing officer may be appointed ahead of eligibles to a vacancy in a permanent position in the class from which resigned in any department.
- 114.30.3 A separate request must be filed with each department to which reappointment is desired. An approved copy of the reappointment form(s) must be filed with the Department of Human Resources.
- 114.30.4 Consistent with the above procedure, members of the uniformed ranks of the Police and Fire Department shall have two years from the effective date of the resignation to request and to be reappointed.
- 114.30.2 If a vacancy does not exist in the class from which resigned from City and County Service, or, if otherwise approved by the Human Resources Director, subject to appeal to the Civil Service Commission, a resignee may re-enter the service to a vacancy in any former class in which the probationary period had been completed in any department with the approval of the appointing officer.
- 114.30.3 When reappointed, the resignee shall enter the service as a new appointee with no rights based on prior service except such as may be specifically provided elsewhere in these Rules, in the Vacation, Sick Leave and any other Ordinances as appropriate, and in the examination procedures with respect to credit for prior City and County Service.



Fwd: Last two cents

Thursday, August 6, 2015 8:24 PM

From: "Cutino Dee" &lt;dcutino@sfwater.org&gt;

To: "estelleyancey@yahoo.com" &lt;estelleyancey@yahoo.com&gt;

Sent from my iPad

Begin forwarded message:

From: "Cutino, Dee" <dcutino@sfwater.org>  
 Date: August 6, 2015 at 4:11:35 PM PDT  
 To: Estelle Yancey <eyancey@sfwater.org>  
 Subject: Fwd: Last two cents

I sent this to Chris.

Sent from my iPad

Begin forwarded message:

From: "Cutino, Dee" <dcutino@sfwater.org>  
 Date: August 5, 2015 at 2:58:36 PM PDT  
 To: "Nelson, Chris" <cnelson@sfwater.org>  
 Subject: RE: Last two cents

Chris, I was trying to hold my tongue but I can't. I have an issue with how Estelle Yancey is being treated in her effort to come back to work for us. It doesn't make sense to not bring a qualified operator back, and to hold the position for non-license personnel. It hasn't been explained how this makes sense. He just states that we are not accepting reinstatements. When you couple this with the fact that a number of past employees have been allowed to do this, Mark Demeduk, Rob Witt, Jeff Theuret, Tom Norris, (more than once, the first time he just disappeared but was not only let back, but they went looking for him), Jeff VanTrump, and Pat Davidson ( 3 times). I think he needs a better explanation than we are not accepting reinstatements at this time. Especially since we are in desperate need of operators. Why did Paul change his mind after telling me she left in good standing and could come back? I think these actions will lead to issues for us. I can see this as plain as day. Things are not adding up.

Dee

From: Nelson, Chris  
 Sent: Monday, August 03, 2015 7:55 AM  
 To: Cutino, Dee; Okumoto, Lee  
 Subject: RE: Last two cents

Lee -- how soon can we start a recruitment for 7341's? Not until the current one completes, right? This list must be exhausted or expire.

Dee -- The idea to hire 7334's came from discussions with your staff, who are worried about operator burnout due to vacancies and during the shift change transition. That said, I am open to facilitating adjustment to the approach. My impression was that there just weren't 7341 candidates out there, but maybe the deficiency is not in the population, but in the advertisement. I don't know. The current strategy's upside is that I can have the 7334 recruitment moving concurrent with the hiring process from the last anemic response to the 7341 recruitment. The goal is to fill vacancies as fast as possible given the shift change and the impact that it may have on the ranks. I would appreciate your help on the recruitments -- both 7334 and the next 7341, to see if we can get the best possible results.

From: Cutino, Dee  
 Sent: Monday, August 03, 2015 7:43 AM  
 To: Nelson, Chris  
 Subject: Last two cents

Chris, I still think this bringing in 7334 operators is a mistake. I still believe the best thing to do is have HR do a legitimate recruitment. Why can't we do this before bringing in 7334's? This makes so much sense to me. Am I that far off with my thinking on this? This 7334 route will take at a minimum 2 yrs. Before we see any fruit. The less operators we have, the less there will be to fill in. This is another good idea I have that is being ignored. Once again, if I didn't care I'd just let it go.

Thanks

D. Cutino  
 Superintendent of Water Treatment Facilities  
 Office: 650-8008-3810  
 Cell: 650-302-0420



# San Francisco Water Power Sewer

Operator of the Hetch Hetchy Regional Water System

Water Supply & Treatment Division  
1000 El Camino Real  
Millbrae, CA 94030

August 25, 2016

State Water Resources Control Board  
Office of Operator Certification  
Drinking Water Operator Certification Program  
P O Box 944212  
Sacramento, CA 94244-2120

**RE: Drinking Water Certification for Estelle Yancey -Grade Level: T5**

To Whom It May Concern:

Estelle Yancey was employed with the San Francisco Public Utilities Commission from 10/1999 to 09/2013. During her employment, she held the following positions:

**Position/Title: 7341 Stationary Engineer-Water Treatment Plant:** From 10/1999 to 9/2011, Ms. Yancey was employed as a Stationary Engineer-Water Treatment Plant Operator by the SFPUC. As a certified T-3 Operator her duties included being in direct charge of the operation of the Harry Tracy and Sunol Valley Water Treatment Plants as well as SCADA operation of the transmission system. Ms. Yancey was employed full time (40 hours per week).

**Position/Title: 7343 Senior Stationary Engineer-Water Treatment Plant:** From 09/2011 to 09/2013 Estelle Yancey was employed as a Senior Stationary Engineer by the SFPUC. During this period, she was responsible for the supervision of T-2 and above Water Treatment Plant Operators in the operation and maintenance of SWRCB T-5 rated water treatment facilities and SCADA in the SFPUC Regional Water System. Ms. Yancey was employed full time (40 hours per week). During this period, Ms. Yancey held the required T-4 certification.

As the undersigned supervisor of the above referenced operator, I hereby certify that all facts and statements set forth are true and correct to the best of my knowledge and belief. I understand that any omissions or misrepresentations may result in discipline as per the Health & Safety Code section 106876.

Sincerely,

Paul Gambon  
System Operations Manager

Edwin M. Lee  
Mayor

Francesca Vietor  
President

Anson Moran  
Vice President

Ann Moller Caen  
Commissioner

Vinca Courtney  
Commissioner

Ike Kwon  
Commissioner

Harlan L. Kelly, Jr.  
General Manager





# San Francisco Water Power Sewer

Services of the San Francisco Public Utilities Commission

525 Golden Gate Avenue, 3rd Floor

San Francisco, CA 94102

T 415.554.1670

F 415.554.1529

September 15, 2017

Estelle Yancey  
P.O. Box 4040  
Manteca, CA 95337

## Re: Request for Reappointment Determination

Dear Ms. Yancey:

This is to acknowledge that on June 29, 2017, the San Francisco Public Utilities Commission ("SFPUC" or "Department"), Human Resource Services ("HRS") received your request for reappointment. You requested reappointment to your former Classification ("Class") 7343 Senior Stationary Engineer position in the Water Enterprise, Water Supply and Treatment Division.

Pursuant to the Civil Service Commission Rule 114.30 on Reappointment, the rule provides that a permanent employee who has completed the probationary period who resigns and whose services have been certified as satisfactory by the appointing officer, shall be permanently separated from such appointment, with the following exception: upon request on the prescribed form within a four (4) year period after the effective date of the resignation, the employee, with the approval of an appointing officer, may be appointed ahead of eligibles to a permanent position in the class from which the employee resigned in any department.

In accordance with Civil Service Commission Rule 114.30.2, the Department has reviewed your request for reappointment to your former Class 7343 Senior Stationary Engineer position and is notifying you that we are denying your request at this time. The Department recently had an open recruitment for 7343 Stationary Engineer positions and will fill all 7343 vacancies using the eligibles list from the 7343 recruitment.

*Why would you fill from a list when I already know the system - (I have less training)*  
If you have any questions, please contact the Civil Service Commission, at (415) 252 - 3427.

Sincerely, ~

Cindy Charan  
Director, Human Resource Services

Encl: Employee Request for Reappointment Following Resignation Form  
Civil Service Commission Rule 114, Article V: Reappointment

Cc: Chris Nelson, Manager, Water Supply and Treatment Division  
Rachel Gardunio, Manager, Employee Relations & EEO Programs

Edwin M. Lee  
Mayor

Anson Moran  
President

Ike Kwon  
Vice President

Ann Moller Caen  
Commissioner

Francesca Viator  
Commissioner

Vince Courtney  
Commissioner

Harlan L. Kelly, Jr.  
General Manager



**PBT-7245-067142, CERT:13199**

Tuesday, November 14, 2017 11:24 AM

From: dhr-referral@sfgov.org

To: estelleyancey@yahoo.com



Tuesday, November 14, 2017

ESTELLE YANCEY  
P.O. BOX 4040  
MANTECA, CA 95337

RE: PBT-7245-067142 Certification No.: 13199

Dear ESTELLE YANCEY,

Thank you for your application for the 7245 Chief Stationry Engineer,Water Treatment Plnt position with Public Utilities Commission.

We appreciate the time and effort you have invested to this recruitment. After careful consideration of all of the candidates, we have selected a candidate whose experience and qualifications more closely match our needs for the position.

We hope that this does not discourage you from other employment opportunities with the Public Utilities Commission and encourage you to continue to apply with the City and County of San Francisco.

We wish you success in your future career endeavors.

Sincerely,

San Francisco Department of Human Resources  
Client Services Operations-Referral Unit

CBT-7343-900490, CERT:13270

Wednesday, November 15, 2017 9:17 AM

From: dhr-referral@sfgov.org

To: estelleyancey@yahoo.com



Wednesday, November 15, 2017

ESTELLE YANCEY  
P.O. BOX 4040  
MANTECA, CA 95337

RE: CBT-7343-900490 Certification No.: 13270

Dear ESTELLE YANCEY,

Thank you for your application for the 7343 Senior Stationary Engineer, Water Treatment Plant position with Public Utilities Commission.

We appreciate the time and effort you have invested to this recruitment. After careful consideration of all of the candidates, we have selected a candidate whose experience and qualifications more closely match our needs for the position.

We hope that this does not discourage you from other employment opportunities with the Public Utilities Commission and encourage you to continue to apply with the City and County of San Francisco.

We wish you success in your future career endeavors.

Sincerely,

San Francisco Department of Human Resources  
Client Services Operations-Referral Unit

CBT-7343-900490, CERT:13269

Wednesday, November 15, 2017 9:55 AM

From: dhr-referral@sfgov.org

To: estelleyancey@yahoo.com



Wednesday, November 15, 2017

ESTELLE YANCEY  
P.O. BOX 4040  
MANTECA, CA 95337

RE: CBT-7343-900490 Certification No.: 13269

Dear ESTELLE YANCEY,

Thank you for your application for the 7343 Senior Stationary Engineer, Water Treatment Plant position with Public Utilities Commission.

We appreciate the time and effort you have invested to this recruitment. After careful consideration of all of the candidates, we have selected a candidate whose experience and qualifications more closely match our needs for the position.

We hope that this does not discourage you from other employment opportunities with the Public Utilities Commission and encourage you to continue to apply with the City and County of San Francisco.

We wish you success in your future career endeavors.

Sincerely,

San Francisco Department of Human Resources  
Client Services Operations-Referral Unit

\* How is this so, I worked here since 1999 / also already held the position.



San Francisco  
Water Sewer  
Operator of the Hetch Hetchy Regional Water System

WATER SUPPLY AND TREATMENT DIVISION  
1000 El Camino Real, Millbrae CA 94030

November 9, 2017

Estelle C. Yancey  
P.O. Box 4040  
Manteca, CA

Via email

Re: Employment – 7343 Senior Stationary Engineer

Dear Ms. Yancey:

We appreciate the time and effort you took to participate in our selection process for the position of 7343 Senior Stationary Engineer with Water Supply & Treatment Division at the San Francisco Public Utilities Commission.

Your background was carefully reviewed against our requirements and needs. We regret in this instance, we are unable to offer you the job.

(Really)

There are many employment opportunities with the City and County of San Francisco, and we hope you continue to pursue them. We wish you much success in achieving your career endeavors.

*I already held the position*

Sincerely,

*Lee*

Lee Okumoto  
Water Supply & Treatment  
Departmental Personnel Liaison

cc: Recruitment File

Edwin M. Lee  
Mayor

Anson Moran  
President

Art Torres  
Vice President

Ann Moller Caen  
Commissioner

Francesca Viator  
Commissioner

Vince Courtney  
Commissioner

Harlan L. Kelly, Jr.  
General Manager



Good Afternoon Board of Supervisors:

My name is Madelyn McMillan. I'm currently the President of SEIU 1021 African American Caucus (AFRAM). Black AFRAM SEIU leaders led the struggle to create a functional Civil & Human Rights Caucus within SEIU, and a Civil & Human Rights Committee of SEIU international E-Board.

In my 25-years tenure with the City & County of San Francisco I experience unfair employment practices, treatment and unnecessary disproportionate disciplines against myself and other Black/ African American Workers.

My classification is Senior Clerk Typist 1426. I was subjected to deskilling by the DHR at the direction of Mikki Callahan the Director of DHR. When 1426 Senior Clerk Typist were deskilled it was a negative impact on future promotional opportunities on the 1426 classification. Many of my fellow 1426s were reclassify in lower classification after their essential job duties were removed which impacted their income negatively.

The 1426 Classification is a citywide classification which has been historical filled with predominately Black/African American. I also believe this employment added to the systemic racism and gentrification on and off the job.

I currently work in the San Francisco Police Department as a 1426 Senior Clerk Typist. In 2015 part of my core duties were remove from my job duties permanently without just cause. Furthermore, I complaint about my duties begin remove from my job descriptions and then reassigned to a Police officer a white female on lite duties.

After complaining to the lieutenant/captain/commander concerning the removal of my duties without just cause. I experience retaliation in the following ways: Desk relocated another office that was isolated from the main department. The job duties that were removed from my job description impeded me from qualifying future promotional opportunities.

As a black female employee with the City & County of SF I feel that black employees are disregard, disrespected and devalued. I believe we need to make a change in the employment practices so that Black/African American worker are not adversely impacted.



LAW OFFICES OF  
DANIEL RAY BACON  
234 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-4515

TELEPHONE  
(415) 864-0907  
FACSIMILE  
(415) 864-0989  
EMAIL: bacondr@aol.com

September 24, 2017

VIA HAND-DELIVERY

Board of Supervisors  
City Hall  
San Francisco, California

**RE: Bailey v. San Francisco District Attorney's Office, George Gascon, et al**  
**San Francisco Superior Court # CGC 15-549675**

Dear Supervisor:

Twanda Bailey worked for the San Francisco District Attorney's office for over 14 years, was an excellent employee, and looked forward to fulfilling her dream of eventually retiring from the city in the future. However, after a co-worker called her a "scary nigger," things changed drastically for her.

As a resident of San Francisco since 1978 and having practiced law for 35 years in San Francisco I am appalled that the San Francisco City Attorney is defending the above referenced lawsuit by claiming that being called a nigger by a co-worker in the San Francisco DA's office does not violate and is NOT a violation of the law, despite the Equal Employment Opportunity Commission regulations and federal court decisions that such conduct does violate the law.

After the District Attorney's human resource manager refused to take any action on Bailey's complaint of racial harassment, a San Francisco police officer reported the incident to the city's human resources department, but Ms. Micki Callahan, Human Resource Manager for the city refused to investigate Bailey's complaint of racial harassment, refused to testify at a deposition in this lawsuit and claimed that being called a "scary nigger by a co-worker did not violate the law. George Gascon refused to testify at his deposition, and his administrator testified in his deposition that when Gascon was advised that one of his employees had complained about being called a nigger by another co-worker Gascon said just let city human resources take care of it. But the city's human resources department refused to investigate and claimed that being called a nigger is not a violation of the law. The District Attorney's Administrator and other District Attorney managers testified in their depositions that they did not even know if calling a co-worker a nigger violated the city's harassment policy.

The City Attorney claims that no violation of the law occurs when an employee of the city

LAW OFFICES OF  
DANIEL RAY BACON  
San Francisco Board of Supervisors  
September 24, 2017, Page 2

is called a nigger by another city employee. What has become of our city's commitment to zero tolerance for racism? Unfortunately, our city does not have a zero tolerance for such conduct.

What has our city become? Many of you condemned the President of the United States for his comments about racist groups in the East Coast recently, yet this city allows co-workers to be called niggers and then managers claim ignorance in their depositions about whether our city's harassment policy forbids such conduct and defends this lawsuit by claiming that being called a nigger is NOT a violation of the law and is a "mere inconvenience ....joke.

In fact, the city has filed a motion for summary judgment in this case, claiming that such conduct does not violate the law, does not create a hostile work environment, even though Ms. Bailey was forced to work with the guilty co-worker, was told by an incompetent HR Manager that Ms. Bailey could create a hostile work environment for telling other co-workers that she was called a nigger. The DA has fired this HR manager and refused to disclose her whereabouts for a deposition in this case. To make matters worse, the judge who heard the motion on Friday, September 15, 2017, does not know whether such conduct violates the law, has taken the matter under submission, and has not ruled on the City's motion.

Find this hard to believe? Attached find copies of the City HR manager's letter to Bailey stating that being called a nigger by a co-worker does not violate the law, and that Bailey's complaint will not be investigated. Also enclosed find the city attorney's memoranda claiming that being called a nigger is a mere inconvenience and does not violate the law. Welcome to a new San Francisco where racial slurs and harassment are OK.

Very truly yours,



DANIEL RAY BACON

DRB:db  
Enclosures  
cc: Vic Lee, Channel 7 News

City and County of San Francisco

Edwin M. Lee  
Mayor



Department of Human Resources

Micki Callahan  
Human Resources Director

**CONFIDENTIAL**

July 22, 2015

Twanda Bailey  
[REDACTED]  
[REDACTED]

Via U.S. Mail

RE: Complaint of Discrimination, EEO File No. 1901

Dear Ms. Bailey:

The San Francisco Charter, Section 10.103, and Civil Service Commission Rule 103 provide that the Human Resources Director shall review and resolve all complaints of employment discrimination. The Charter defines discrimination as a violation of civil rights on account of race, religion, disability, sex, age, or other protected category. The City and County of San Francisco (City) considers all allegations of discrimination a serious matter. Accordingly, the purpose of this letter is to inform you of my determination regarding your discrimination complaint.

On April 17, 2015, the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO) received a report from the San Francisco Police Department (SFPD) reporting your conversation with Ronnie Wagner, Attorney, SFPD Legal Division, regarding your concerns about your co-worker Saras Larkin, 8132 Investigative Assistant with the Office of the District Attorney (DA's Office). Your complaint was assigned to Dawn Silberstein, Equal Employment Opportunity Specialist. On May 22, 2015, you met with Ms. Silberstein for an intake interview to review your allegations and the City's discrimination complaint process. You allege Ms. Larkin subjected you to harassment/hostile work environment based on your race (African-American). You also allege that Evette Taylor-Monachino (African American), the DA's Office Personnel Officer, subjected you to retaliation.

Please be advised that based on the information you provided, your allegations are insufficient to raise an inference of harassment/hostile work environment or retaliation. Therefore, DHR EEO will not investigate your complaint.

**I. BACKGROUND AND ALLEGATIONS**

Since August 2011, you have been working for the DA's Office as an 8132 Investigative Assistant.

**A. Harassment/Hostile Work Environment**

You allege that on January 22, 2015, Ms. Larkin (Fijian) alerted you that a mouse was heading towards your desk. You uttered a surprised sound, jumped up, and ran to the door. Ms. Larkin

responded to your distress by saying "You Niggers are so scary." Her comment upset you, and you walked out of the office. As you were heading out of the office, a number of coworkers noticed you were upset and you discussed the incident with them.

On January 23, 2015, at a work-related holiday party, your then-supervisor Alexandra Lopes (Hispanic), 8135 Assistant Chief Victim/Witness Investigator, overheard you talking about the incident with colleagues. Ms. Lopes discussed the incident with you and reported it to Sheila Arcelona (Caucasian), Chief of Finance and Ms. Taylor-Monachino. On Monday, January 26, 2015, you met with Ms. Arcelona and Ms. Taylor-Monachino. Although both Ms. Arcelona and Ms. Taylor-Monachino said that they would look into the incident, you felt that Ms. Taylor-Monachino did not take the incident seriously because she responded to your description of the incident by saying "oh Saras."

B. Retaliation

On March 23, 2015, when you had heard nothing further regarding the incident, you followed up with Ms. Taylor-Monachino to request a copy of the complaint or report. Ms. Taylor-Monachino responded that there was no written complaint, and there would be no written report. You allege that when you asked to file a written complaint, Ms. Taylor-Monachino advised you that you should have immediately reported the incident to a supervisor instead of telling everyone in the office what happened. You allege that she further informed you that you could be accused of creating a hostile work environment by talking to coworkers about the incident and drew a diagram showing you who you could and could not talk to about the incident. You contend that since your March 23, 2015 meeting, Ms. Taylor-Monachino's conduct towards you has changed. She no longer speaks to you socially and you feel that you need to avoid walking past her office because she stares at you.

II. INVESTIGATIVE STANDARDS AND ANALYSIS

A. Harassment/Hostile Work Environment Claim

For an investigation to be initiated, a complaint of harassment that creates a hostile work environment, must sufficiently allege all of the following: (1) the complainant was subjected to physical, verbal, or visual conduct on account of the complainant's membership in a protected category; (2) the conduct was unwelcome; and (3) the conduct was so severe or pervasive as to alter the condition of complainant's employment and create an abusive working environment.

You alleged that you were subjected to unwelcome verbal conduct on account of your race (African-American) when Ms. Larkin commented "You Niggers are so scary." While we acknowledge the extreme offensiveness of the "N" word and understand how upsetting it was to you to hear such a highly offensive term, one comment is not sufficiently severe or pervasive as to alter the condition of your employment and create an abusive working environment. However, as Ms. Larkin's statement, if true, violates the City's Harassment-Free Workplace Policy, the DA's Office will be taking appropriate corrective action.

## B. Retaliation

For an investigation to be initiated, a complaint of retaliation must sufficiently allege all of the following: (1) the complainant engaged in a protected activity; (2) the complainant suffered an adverse employment action; and (3) there was a causal link between the protected activity and the adverse employment action.

You engaged in a protected activity by making a complaint of discrimination about Ms. Larkin. However, you have not alleged that you suffered an adverse employment action. An adverse employment action is any objectively materially adverse action affecting the terms, conditions or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement and include acts that would dissuade a reasonable employee from supporting a discrimination complaint. An offensive utterance or even a pattern of social slights by either the employer or co-employees cannot properly be viewed as materially affecting the terms, conditions, or privileges of employment.

While unwelcome, Ms. Taylor-Monachino's conduct does not constitute an adverse employment action. Ms. Taylor-Monachino's alleged refusal to allow you to file a written complaint on March 23, 2015, was not a materially adverse employment action that would impair a reasonable employee from making a complaint because your complaint had already been reported by Ms. Lopes on January 26, 2015. Ms. Taylor-Monachino's instruction that you should have immediately reported the incident to a supervisor rather than discussing it with coworkers was a reminder of the reporting process given after your complaint had been reported by Ms. Lopes and, as such, is also not an adverse employment action. Finally, Ms. Taylor-Monachino's unwillingness to speak with you socially and staring at you from her office are social slights which do not rise to the level of a materially adverse employment action. Nevertheless, Ms. Taylor-Monachino should have provided you a written copy of your complaint. Therefore, the DA's office will be taking appropriate corrective action.

## III. NON-EEO CLAIMS

### A. Workers' Compensation Claim

You also reported that following your March 23, 2015 meeting with Ms. Taylor-Monachino, you took stress-related leave from March 27, 2015 to April 6, 2015. On the same day you submitted a doctor's note to support your workers' compensation claim for stress leave, another coworker suffered an injury at work. Ms. Taylor-Monachino passed by your office and remarked "a real workers' comp issue." You believe that Ms. Taylor-Monachino directed this comment at you and that it was in reference to your workers' compensation claim. However, as workers' compensation claims do not constitute a protected activity for the purpose of EEO, the conduct does not fall within the jurisdiction of DHR EEO and will not be investigated.

B. Preferential Treatment

In addition, you alleged that Ms. Taylor-Monachino showed Ms. Larkin preferential treatment by 1) allowing Ms. Larkin to come in late, leave early, and take long breaks; 2) not holding her accountable for mistakes; 3) providing Ms. Larkin more summer interns; and 4) giving Ms. Larkin a key to Ms. Taylor-Monachino's office where confidential personnel files are located. You are not certain whether Ms. Larkin receives the alleged preferential treatment because of her race (Fijian) or because she and Ms. Taylor-Monachino are friends. As preferential treatment unrelated to an employee's membership in a protected category does not fall within the jurisdiction of DHR EEO, this conduct will not be investigated. Nonetheless, your concerns will be forwarded to the DA's Office to ensure that the DA's Office is maintaining the confidentiality of personnel files.

III. DETERMINATION

Based on the information you provided, it is my determination that your complaint, EEO File No. 1901, will not be investigated and is administratively closed. The decision of the Human Resources Director is final, unless it is appealed to the Civil Service Commission and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102, within 30 calendar days of the postmarked mailing date of this letter.

For your information, you may file a complaint of employment discrimination with the U.S. Equal Employment Opportunity Commission or the California Department of Fair Employment and Housing. Contact these agencies directly for filing requirements and deadlines.

I recognize it was difficult for you to make your complaint and appreciate that you raised this issue DHR EEO so that it could be reviewed. Thank you for bringing your concerns to our attention and allowing us the opportunity to address them. Please feel free to contact Linda C. Simon, Director, EEO and Leave Programs, at (415) 557-4837, if you have any questions.

Sincerely,



Micki Callahan  
Human Resources Director

c: George Gascoñ, District Attorney  
Eugene G. Clendinen, Chief Administrative & Financial Officer, DA's Office  
Linda C. Simon, Director, EEO and Leave Programs

## Systemic Discrimination Hearing

- Opportunities for acting assignments – On July 2, 2015, I emailed a request to work in an acting assignment position. I didn't receive a response to my request.
- Despite my race, gender and being over 40, I ranked number 1 on the eligibility list for the 0923 Director of Equity, Social Justice and Multicultural Education position. I interviewed on August 20, 2018 and haven't received any information about the position. Besides racial discrimination, sexism (glass ceiling) and ageism also play key roles in oppressing people of color.
- Hiring panels – Hiring Manager as proctors in panel interviews. Recently, this practice is occurring. It adds additional pressure on panelists and applicants.
- Hiring panels – Not knowing names to recuse panelists before interview.

*Darlene Daevu*  
9/19/18  
628-206-7613

Timeline:

Date	
April 13, 2018	Submitted application and supplemental questionnaire for Director of Equity, Social Justice and Multicultural Education position.
April 23, 2018	Informed I met minimum qualifications to advance in the selection process
April 25, 2018	Received examination date to take Supervisory Test Battery examination
May 11, 2018	Took the Supervisory Test Battery Examination (4 hours)
May 29, 2018	Received raw score, final score and rank on the Eligible List #1
June 5, 2018	List Adopted – Ranked #1
June 26, 2018	Received interest inquiry from Dept. Human Resources (Cert #14995)
August 14, 2018	Received invitation to interview for Director of Equity, Social Justice and Multicultural Education
August 31, 2018	Sent "Thank You" for the opportunity to interview email to Hiring manager
September 12, 2018	No Response

Incidents of Discrimination

- Civil Service Rule 13.1, Selection of Eligibles, page 4 of 6, last paragraph and it reads as follows: "For example, a department may choose a candidate who ranked first on the eligible list, based on the fact that he or she performed so successfully on the examination." Why was I denied this opportunity?
- The Human Resources Department will monitor the turnaround time for all vacant positions being filled. If the 30 day period is exceeded HR will contact the Hiring Manager to understand the delay. HR will get involved in the selection process if needed, which may include HR making the decision to hire.
- Hiring Panel consisted of seven (7) panelists. Other Manager II positions did not have seven (7) panelists. The announcement describes the position as part of the Executive Team. Why weren't Executive Team members' panelists as they have the most influence and impact on job success? Panelist included contractors, mental health consumers, and collateral contacts (Cultural Competency Task Force Members).
- Hiring Manager was proctor. Hiring Manager as proctors in panel interviews. Recently, this practice is occurring. It adds additional pressure on panelists and applicants. What is the purpose?
- How many other Manager positions had hiring managers as proctors?
- Panelists did not see eligibility list. Eligibility list demonstrates applicants' competency answering supplemental questions and supervisory test battery examination.
- Gave Hiring Manager first 30-60-90 day in the job plan. Did panelist receive this information?
- Supplemental questions = 3. Interview questions = 9. Why were there more interview questions than supplemental interview questions? Is this consistently applied to Manager II positions?
- Application status – 5 weeks before invitation to interview. August 14, 2018 received email to interview on August 20, 2018. (3 days to prepare). August 20, 2018 interviewed and haven't received any response as of September 19, 2018.
- Hiring panel – Denied opportunity to recuse panelists before interview.





City and County of San Francisco Department of Human Resources  
Eligible List

List ID: 083866 Permanent PBT List Type: CPE  
Class: 0923 Manager II Scope: DPH  
Working Title: Director of the Office of Equity, Social Justice and Multicultural Education  
Post: 6/5/2018 Cert Rule: Rule of the List Duration: 6 months  
Inspection Start: 5/29/2018 Inspection End: 6/4/2018 Adoption: 6/5/2018

Rank	Score	Last Name	First Name	Middle
1	920	DAEVU	DARLENE	C
2	912	MADDOX	JONATHAN	
3	893	BROWN	JESSICA	N
4	873	CHACON	JENNIFER	
5	852	NIM	QUYEN	D
6	850	MOMOH	IMOUDU	
7	830	STACULESCU	IOANA	C
8	820	GANADE	KIMBERLY	M
8	820	JOSHI	RAVI	
9	810	VIDAL	PEDRO	G
10	805	AH SOON-BARTLEY	NATALIE	
10	805	TIWARI	ARPITA	
11	792	OCAMPO	HENRY	B
12	788	HALEY	MICHELE	L
12	788	ONG	ELENA	
13	777	BOSTON	DENISE	
14	773	THOMPSON	HALE	M
15	747	LAMONT	MICHAEL	A
15	747	THOMAS-SQUANCE	RUTH	

6/5/2018 10:54:37 AM

## Acting Director of Cultural Competence

Daevu, Darlene (DPH)

Thu 7/2/2015 8:58 AM

Sent Items

To: Rucker, Toni (DPH) <toni.rucker@sfdph.org>;

Cc: Yu, Albert (DPH) <albert.yu@sfdph.org>; Robinson, Jo (DPH) <jo.robinson@sfdph.org>;

Good Morning Toni,

I am writing to request that I be considered for an interim appointment as the Director of Cultural Competence upon the resignation of the current Director. I am requesting this temporary appointment for the following reasons:

- to maintain a continuity of services
- expert knowledge of current pending job assignments, i.e., CLAS Standards, Community Advisory Boards (CAB), Cultural Competence Task Force, Multicultural Student Stipend Program (MSSP), Language Access Ordinance and Policies, etc.
- continue planning for the steadfastly approaching State submission of the Cultural Competence Plan Report
- I'll most likely be asked to assume these duties anyway.

Thank you for your consideration.

Darlene Daevu, MBA  
Administrative Analyst  
Office of Cultural Competence  
1380 Howard Street, 5th Floor  
San Francisco, CA 94103-5205  
(415) 255-3426 phone  
(415) 252-3079 fax

This e-mail is intended for the recipient only. If you receive this e-mail in error, notify the sender and destroy the e-mail immediately. Disclosure of the PHI contained herein may subject the discloser to civil or criminal penalties under state and federal privacy laws.

JAMES HARRIS JR. REIN

STATEMENT

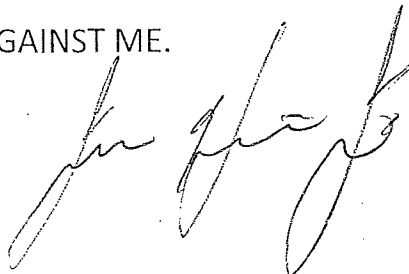
MY NAME IS JAMES HARRIS JR; I WORKED FOR THE CITY AND COUNTY OF SAN FRANCISCO FOR 16 YEARS. I'm HERE TODAY TO LET YOU KNOW WHAT MY EXPERIENCE HAS BEEN AS A BLACK CITY EMPLOYEE. WHILE AT WORK A HORRIBLE ACCIDENT HAPPENED AND I BELIEVE BECAUSE OF MY RACE, I WAS FORCED TO EARLY RETIREMENT OR BE FIRED.

I WAS ACCUSED OF HITTING A PERSON WHO WAS IN<sup>A</sup> WHEEL CHAIR. SHE WENT TO THE HOSPITAL AND TWO DAYS AFTER HER HOSPITAL ADMISSION, SHE DIED. THE CIRCUMSTANCE AROUND MY CASE IS SIMPLE. I WAS GOING 15 MILES PER HOUR WHILE MAKING A LEFT HAND TURN. SHE APPEARED ON MY LEFT HAND SIDE BY STATIONARY BUS. HER WHEEL CHAIR WAS ROLLING TOWARDS ME AND WE COLLIDED. SHE ENDED UP ON THE HOOD OF MY CAR AND SLID OFF TO THE GROUND.

THERE WAS AN INVESTIGATION CONDUCTED IN THE INCIDENT AND WE WENT TO TRIAL. A JURY FOUND THAT I WAS NOT AT FAULT. HOWEVER I NO LONGER HAVE MY JOB. I FEEL IF I WERE WHITE THIS WOULD HAVE HAD DIFFERENT OUTCOME.

I BLAME THE NEGATIVE CULTURE CREATED AGAINST US BLACKS PEOPLE FOR ME NOT TO HAVE A FAIR HEARING AS AN EMPLOYEE. THIS MUST END, CHANGES MUST HAPPEN.

I AM ASKING FOR MY JOB BACK. I'M ASKING THE BOARD MEMBERS TO REINSTATE ME. ALL CHARGES BROUGHT BY THE CITY WAS DROPPED, AND TWELVE OF THEM FOUND ME NOT GUILTY AFTER HEARING ALL OF THE STATEMENTS THE PROSECUTOR BROUGHT AGAINST ME.

A handwritten signature in black ink, appearing to read 'James Harris Jr.', is written over the bottom of the text.

JAMES HARRIS JR. REIN

STATEMENT

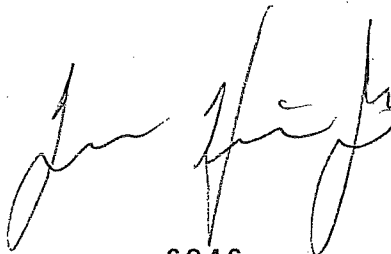
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A handwritten signature in black ink, appearing to read 'James Harris Jr.', is written over the page number.

## Carroll, John (BOS)

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From: Julian Banales <jbanales@sbcglobal.net>  
Sent: Tuesday, September 18, 2018 9:04 PM  
To: Carroll, John (BOS); Kim, Jane (BOS); Peskin, Aaron (BOS); Brown, Vallie (BOS)  
Cc: Breed, London (MYR); Cohen, Malia (BOS); Bruss, Andrea (MYR)  
Subject: Comments for Government Audit and Oversight Committee Hearing on Discrimination 9.19.18  
Attachments: seu poster.jpg  
  
Categories: 2018.09.19 - GAO, 180630

### Government Audit and Oversight Committee Hearing on Discrimination 9.19.18

Honorable Members of the Committee,

I am writing this email to stand against the systemic injustice, hate and ignorance in the way discriminatory practices target people of color. I have worked tirelessly and with unquestionable dedication for 27 plus years for the Planning Department.

For the record, I would like to document the following incidents aimed toward people of color in the Planning Department. These are just the tip of the iceberg. I can provide additional documentation regarding inappropriate behaviors, if the Committee finds it pertinent to this hearing and investigation. And to be clear, these notes are not intended to personally attack any individual – and not all Caucasians exhibit these behaviors. Rather the following statements are intended to document and note behaviors which are questionable. The following patterns are prevalent: double standards, insensitive behavior and stereotyping, and lack of diversity. Why is this allowed to happen?

- A senior manager, during a discussion on promotional opportunities made a comment about a previous job describing Black and Latino managers as “idiots who were only hired due to Affirmative Action.” Mind you, this is a Senior Manager with hiring authority. This demonstrates lack of sensitivity and discourages people of color to seek promotions. It is also a reprehensibly disparaging and insensitive comment. Why?
- In another instance, an African American male was targeted and reassigned. When he noted that the reassignment was new, he pleaded and asked for training for his new duties – the response from the Manager, a White woman, included demeaning retorts such as “I am going to get a good 8 hours honest work out of you...” and “You have been here how long? You should know this by now...” These comments were overheard by staff. The message is that people of color do not merit the same consideration or that negative and insensitive comments directed toward people of color do not cause harm, and is thus, acceptable. Why?
- This same manager, while discussing promotional opportunities, made the following statement: “Do you honestly believe that A (a Hispanic woman) would outscore Planner B (a White woman)” – (on a civil service test)? This is an extremely inappropriate bias and stereotyping –especially when expressed by someone who always is involved in hiring decisions. Why?

These prejudices also demonstrate a marked presumption of competence for White planners simply because they come from the dominant group in power, whereas professionals of color are not given equitable consideration.

- Within the first few months of a Senior Manager's tenure in 2012, he came into my office with an SEIU flyer depicting a person of color in a clenched fist posture. He stated that he and another Senior Manager were in his office when the latter commented this "looks like Julian" and the former proceeded to my office with flyer in hand and pinned it on my bulletin board. Perhaps this was perceived as humorous. But in hindsight, it was culturally insensitive, and the incident perpetuates the stereotype that people of color are combative or uncooperative – "the clenched fist". The flyer is still in my office. That he pinned it on my board stunned me. I keep it as a reminder of the subtle prejudices that abound. The flyer is attached. Why?
- I and a Filipina manager were described as workhouses in an email. To refer to a person of color as a beast of burden is distressing and, because this was a White lesbian who wrote the email, shocking. Why?

There has also been a marked attrition of African Americans within the Planning Department. Four years ago, 5 African American professional staff were present, whereas now there are only two in the Current Planning Division. Recently two competent Black women left the Department. in the Citywide Division. The lack of diversity at upper management levels is the new normal. This had been the case for ten years now. Previous administrations truly valued diversity. It has been reported that Caucasian panelists coerce and use their influence, as the dominant group, to score White applicants over non-White applicants. This lack of diversity is also contrary to DHR's own Mission which states, "We recognize the value of each individual and view our diversity as a strength" -- and translates to professional apartheid. Why?

White folks in this reign of terror use strong and intimidating language aimed at people of color describing them as combative, resistant, or disgruntled – which are all culturally insensitive stereotypes. As the person of color is not given the presumption of honesty, respect or virtue, behaviors attributed to people of color are wrong whereas the same behaviors exhibited by White planners are acceptable and tolerated. This is a serious double standard that creates a harmful and unsafe environment for people of color who must live with the risk of retaliatory action. Why?

The message is clear: If there is a complaint against a person of color, it is actionable. But if a person of color complains about a White person, the complaint is not given merit or taken seriously. In other words, "Know your place..." and "Be careful". We are not given the same courtesy of equitable protections. Why?

These prejudices were all too keenly called out by Honorable Mayor Willie Brown and Rose Pak. Frequently, the media, dominated by certain members of White groups referred to them as "power brokers working in the shadows" -- a nefarious connotation. If they were White males, they would be referred to as civic minded or thoughtfully engaged. A negative presumption was also recently applied to Honorable Mayor London Breed, after her recent victory, who was referred to as "rising up from troubled upbringings". The use of the word troubled is troubling. Why is this relevant?

The demons of bigotry and discrimination dwell deep within the wretched hearts of those men and women who harbor these sentiments. Indeed, the taskmaster's whip of ethnic chauvinism is all too adeptly wielded (and oftentimes by members of certain groups who claim to be victims of intolerance). There are serious deficiencies in leadership (and complicity) at all levels to address these issues.

We are all children of the earth. All we ask is for equitable opportunity. And as a Descendant of Indigenous tribes – the Hopi with ties to the Apache -- I ask that you not allow these colonial, oppressive and harmful

attitudes to continue to be perpetrated. To be clear, this *is* happening. Please take the testimony at this hearing seriously and make immediate changes so that justice becomes a reality.

Respectfully and truthfully,

Julian J. Bañales

**CONFIDENTIALITY NOTICE:**


This communication, including attachments, is for the exclusive use of the person or entity to which it is addressed and may contain confidential, proprietary and/or privileged information. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this by mistake, please contact the sender immediately.



City and County of San Francisco  
Mark Farrell  
Mayor

San Francisco Department of Public Health  
Barbara A. Garcia, MPA  
Director of Health

Memorandum

Date: March 14, 2018  
From:  Roland Pickens  
Director, San Francisco Health Network  
To: Cheryl Denson-Thornton  
Administrative Operations Supervisor  
Re: New Assignment

This is to notify you that effective Monday, April 2, 2018, due to organizational and leadership realignment, you are assigned to work under the direction of Interim Director of Operations, Roxana Castellon.

The Department believes that based on your skill set, you will bring value to Primary Care Operations and the DPH network as a whole. Your assignment location is at the Call Center located at Laguna Honda Hospital, 365 Laguna Honda Blvd., San Francisco, CA 94116 and you will report to Nurse Manager Sharon Keyes in your role as a Population Health Outreach Lead. The assignment is subject to change based on operational need.

Ms. Castellon will contact you to discuss a transition plan to your new assignment. Ms. Castellon and Dr. Hali Hammer are very excited about the opportunities this change will provide to you and the patients we serve.

cc: Hali Hammer, MD, DPH  
Roxana Castellon, DPH  
Sharon Keyes  
Personnel File





CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

# 2017-2018

## Performance Plan and Appraisal Report

### I. EMPLOYEE IDENTIFICATION INFORMATION

<b>1. LAST NAME, FIRST NAME, MIDDLE INITIAL</b> Cheryl Denson-Thornton	<b>2. JOB CODE NUMBER AND TITLE</b> 1408 Administrative Office Supervisor	<b>3. STATUS</b> <input checked="" type="checkbox"/> Permanent (PCS) <input type="checkbox"/> Provisional (TPV) <input type="checkbox"/> Permanent Exempt (PEX) <input type="checkbox"/> Temporary Exempt (TEX) <input type="checkbox"/> Temporary Civil Service (TCS) <input type="checkbox"/> Limited Tenure (Restricted Use) (TLT) <input type="checkbox"/> Non Civil Service (Restricted Use) (NCS)
<b>4. WORK LOCATION &amp; DIVISION</b> Potrero Hill Health Center 1650 Wisconsin San Francisco, CA	<b>5. DEPARTMENT</b> SFPDH SFHN Primary Care	<b>6. REASON FOR REPORT</b> <input checked="" type="checkbox"/> Annual (conducted at mid-year at request of employee due to new assignment) <input type="checkbox"/> Dept. Review Period <input type="checkbox"/> Probationary <input type="checkbox"/> Unscheduled

DPH  
Class 1408 Principal Clerk

Division	Job Code	Job Title	Last Name	First Name	MI	Status	Sub-Program
CHS	1408	Principal Clerk	REMO	MARYLOU	R	PCS	EHS
CHS	1408	Principal Clerk	OBIEN	ELAINE	O	PCS	MATERNAL CHILD ADOLESCENT HEALTH
CHS	1408	Principal Clerk	CASTILLO	CLAUDINE	N	PCS	CITY CLINIC
FORENSICS	1408	Principal Clerk	DUDLEY	MARILOU		PCS	JAIL HEALTH SERVICES/MEDICAL RECORDS
HEALTH AT HOME	1408	Principal Clerk	LAU	FATIMA	S	PCS	HEALTH AT HOME APHOME
LHH	1408	Principal Clerk	JOUBERT	KAREN		PCS	CLERICAL NURSING
PRIMARY CARE	1408	Principal Clerk	DENSON-THORNTON	CHERYL		PCS	POTRERO HILL HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	THOMPSON	TONYA	F	PCS	MAXINE HALL HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	LEE	LILY MEI		PCS	CHINATOWN PUBLIC HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	RAMOS	MILAGROS		PCS	SOUTHEAST HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	AINZA	RACHEL		PCS	CURRY SENIOR CENTER
PRIMARY CARE	1408	Principal Clerk	SPEARS	ANNETTE	M	PCS	TOM WADDELL URBAN HEALTH CLINIC
PRIMARY CARE	1408	Principal Clerk	STEINWAY	GLADIS	E	PCS	MATERIALS MANAGEMENT SFGH
PRIMARY CARE	1408	Principal Clerk	DIAMZON	ANGELINA	R	PCS	SILVER AVE. FAMILY HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	JACKSON JR	CEDRIC	V	PCS	OCEAN PARK HEALTH CENTER
ZSFG	1408	Principal Clerk	BELTRAN	VICKEY	M	PCS	HOSPITAL ADMINISTRATION SFGH
ZSFG	1408	Principal Clerk	HICKEY	TIMOTHY A		PCS	FAMILY HEALTH CENTER

17

Attachment 3

	7. REVIEW PERIOD 8/29/17-3/31/18	8. PROBATION START AND END DATE NA
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## II. PERFORMANCE PLAN – JOB DESCRIPTION

### REVIEW OF DUTIES & RESPONSIBILITIES BASED ON JOB DESCRIPTION

#### FUNCTIONAL/WORKING TITLE: Administrative Operations Supervisor

##### Core functions include:

- Management team member
  - Participate collaboratively in management level meetings and on a daily basis, across disciplines
  - Lead QI activities directed at improving customer service, access (e.g. CG CAHPS)
  - As part of the management team in some clinics, some Administrative Operations Supervisors also:
    - Handle urgent “manager-of-the-day” responsibilities
    - Coordinate community and/or staff appreciation events
- Clinic operations
  - Ensure necessary office supplies are available to staff by ordering office supplies
  - Implement the logistical onboarding of new staff members (e.g. make AD account request) and orient all new staff to front office operations, as appropriate
  - Submit and tracks work orders, purchasing and help desk tickets related to facilities and IT
- Community Related
  - Serve as staff liaison to clinic Patient Advisory Committee
- Front office supervisor
  - Hire, supervise, assign and evaluate the work of front office staff
  - Acts as a subject matter expert on all front office functions
  - Implement registration and billing activities
  - Maintain appointment templates; implement scheduling & appointment policies to ensure that patients are schedule appropriately
  - Explain and interpret policies and procedures related to front office
  - Check that front office TEs are clear, appropriately directed, handled in a timely and high-quality manner
  - Ensure accurate and consistent collection and documentation of patient demographics. Create & maintain feedback mechanism for resolving inaccuracies.
  - Provide coverage when staff unavailable
  - Implement procedures & track compliance (e.g. emailing providers overdue in locking notes; resolving unbillable visits; POS auditing; updating annual questionnaire required for compliance)
  - Focus on customer service and patient-centered care

### III. PERFORMANCE PLAN – KEY OBJECTIVES

Professional Goals:	
<b>OBJECTIVE:</b> <ol style="list-style-type: none"><li>1. As available take at least one training on coaching staff</li><li>2. As available take at least one training or participate in data dashboard work group</li><li>3. Support the work of food bank pop up events at PHHC</li><li>4. As available participate in lean training</li><li>5. Support PHHC transition to 94CAP</li></ol>	<b>REVIEW OF PERFORMANCE:</b> <ol style="list-style-type: none"><li>1. While she did not attend a training specific on coaching, Cheryl attended training on I-Care, whose principles she applied to her work with colleagues and staff</li><li>2. Cheryl participated in data dashboard work and meetings at monthly Primary Care management meetings.</li><li>3. Cheryl while not assigned specifically to oversee a food bank pop up events, did support the food pharmacy and food bank pop up events at PHHC</li><li>4. Lean – deferred. PHHC is still in queue to incorporate lean management system</li><li>5. Transition to 94CAP – deferred as PHHC still in queue to adopt 94CAP</li></ol>

## SF Health Network Primary Care Goals:

1. **Quality** - Improve the health of the people we serve, allowing them to live full and vibrant lives
2. **Safety** - Improve timely coordination of care to prevent high risk events, prioritizing reducing hospital readmissions
3. **Equity** - Work to eliminate disparities in health outcomes and health statuses
4. **Experience** - Guarantee an optimal experience for each patient and family who comes to us for care
5. **Develop People** - Build a workforce which is valued, does their best work every day, and upholds our mission in every interaction
6. **Financial Stewardship** - Improve financial sustainability and promote good stewardship of city tax dollars

### Objective 1.

Build a workforce which is valued, does their best work every day, and upholds our mission in every interaction

- Front office staff have clear expectations
- Front office staff are empowered to solve daily patient concerns

### REVIEW OF PERFORMANCE: 2

### Objective 2.

Guarantee an optimal experience for each patient and family who comes to us for care

- Demonstrates ability to teach standard work: Appointment Reminders
- When asking Race, Ethnicity and Preferred Language, demonstrates that all questions are self-reported by the patient. Demonstrates that no bias or assumptions are made by the employee

### REVIEW OF PERFORMANCE: 2

Cheryl also took on a leadership role in training and orientating front office staff on SOGI (sexual orientation and gender identity) data collection.

Implementation in process at time of this evaluation

### Objective 3.

Improve financial sustainability and promote good stewardship of city tax dollars

- Demonstrates ability to teach standard work: Registration, Check-In and POS for patients with multiple same day appointments
- Demonstrates ability to teach standard work: Flip visits
- Demonstrates accuracy in identifying and applying appropriate program and financial codes for services provided

### REVIEW OF PERFORMANCE: 2

## IV. APPRAISAL REPORT SUMMARY

### A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Job Description, Departmental policies and procedures, and the Performance Plan's Key Objectives for the review period. Circle the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Performance of job duties needs improvement; did not meet many or majority of objectives.	Performed job duties competently and effectively; met the objectives. (Meets Competent and Effective requirement).	Performed job duties with exceptional competence and effectiveness; exceeded the objectives.
1	<u>2</u>	3

### B. COMMENTS REGARDING OVERALL PERFORMANCE

Cheryl Denson-Thornton is an experienced employee.

She is a direct supervisor of four staff including two 2903 (eligibility workers) and two 2586 (Health Worker II) who provide front office registration, check-in and other clerical functions. In addition to the standard primary care services, she provides additional registration, billing and other administrative support functions for dental, chiropractic services and OBOT (Opiate Based Out-Treatment) services.

She is very dedicated to the patients and communities that she serves.

She is a hard worker.

She often volunteers to take on additional assignment particularly those that are community facing.

Cheryl should continue to develop her skills in the following areas:

- proof reading written communication with attention to spelling and grammar.
- solution oriented communication with staff from other disciplines to strengthen team function.
- time management and project tracking to ensure timely completion of assignments.

When Cheryl assumes her new role as the Population Health Outreach Project Lead, her new supervisor will establish new goals and objectives for evaluation moving forward.

### C. EMPLOYEE GUIDELINES -- PERFORMANCE PLAN AND APPRAISAL REPORT

1. Employee should review his/her employee organization's Memorandum of Understanding with the City and County of San Francisco for information that may add to or modify the following list of guidelines.
2. Employee has the right to read the Performance Plan and Appraisal Report.

3. Employee has the right to receive a copy of the Performance Plan and Appraisal Report.
4. Employee has the right to discuss the report with the Reporting Supervisor or Manager.
5. Employee has the right to attach a rebuttal to the Performance Appraisal Plan and Report. The rebuttal must be presented within 30 working days of the report date. The rebuttal should only address the items presented in the report.
6. Employee may request a conference, if requested, with the Reviewer (Reporter's supervisor or manager).

CITY & COUNTY OF SAN FRANCISCO • DEPARTMENT OF HUMAN RESOURCES  
PERFORMANCE PLAN AND APPRAISAL REPORT

<p><input type="checkbox"/> I DO NOT AGREE WITH THIS REPORT: SECT. _____ NO. _____</p> <p><input type="checkbox"/> I HAVE ATTACHED A REBUTTAL.</p> <p><input type="checkbox"/> I HAVE ATTACHED A REBUTTAL AND REQUEST A CONFERENCE WITH THE REVIEWER.</p>	<p>3. SIGNATURE CERTIFIES I HAVE READ THE REPORT</p> <p><input type="checkbox"/> DECLINED TO SIGN. DATE: _____</p>
---	--



## V. SIGNATURE PAGE

### PERFORMANCE PLAN

#### A. Performance Plan/Key Objectives Sign-Off

1. REVIEWER SIGNATURE	2. REVIEW DATE	
3. SUPERVISOR SIGNATURE	4. EMPLOYEE SIGNATURE	5. MEETING DATE

#### B. Mid-Period Performance Review Meeting

1. SUPERVISOR SIGNATURE	2. EMPLOYEE SIGNATURE	3. MEETING DATE
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### PERFORMANCE APPRAISAL REPORT

#### C. Reviewer's Certification

1. NAME, WORK LOCATION	2. JOB CODE NUMBER AND TITLE
3. I CERTIFY THAT I HAVE REVIEWED THIS REPORT. (Signature)	
4. DATE	

#### D. Reporting Supervisor/Manager

1. NAME, WORK ADDRESS	2. JOB CODE NUMBER AND TITLE	
3. DATE OF CONFERENCE WITH EMPLOYEE	4. SIGNATURE	5. DATE

#### E. Employee's Statement

1. <input type="checkbox"/> I AGREE WITH THIS REPORT.	2. CONFERENCE DATE
---	--------------------

## VI. EXPLANATIONS OF SECTIONS

**I. EMPLOYEE IDENTIFICATION INFORMATION** — Basic information about the employee, his/her status, and the review period.

**II. PERFORMANCE PLAN: JOB DESCRIPTION** — A list of the duties and responsibilities based on the job description. Comments may include clarification of job description items, address mid-year progress, and appraise the performance of the duties and responsibilities. If appropriate, the job description may be a source of Key Objectives for the review period.

**III. PERFORMANCE PLAN: KEY OBJECTIVES** — Most important objectives for the review period and comments regarding the appraisal of the performance of the objectives.

### IV. APPRAISAL REPORT SUMMARY

**A. Overall Performance Rating** — Reporting Supervisor's/Manager's rating of the employee's overall performance over the appraisal review period.

**B. Comments Regarding Overall Performance** — Narrative explanation of the rating of overall performance during the appraisal report review period.

- |  |                                      |  |
|--|--------------------------------------|--|
| ♦ Demonstration of Dept values           | ♦ Attendance And Punctuality         | ♦ Effectiveness Of Working With Others |
| ♦ Overall Performance of Job Description | ♦ Quantity Of Work Performed         | ♦ Use Of Materials And Equipment       |
| ♦ Results of Performance Objectives      | ♦ Quality Of Work Performed          | ♦ Safety                               |
| ♦ Knowledge Of Job                       | ♦ Adaptability To The Work Situation | ♦ Performance Plans                    |
| ♦ Employee's Strengths                   |                                      |  |
| ♦ Achievements                           |                                      |  |

In addition to the areas above, the following areas may be addressed for supervisors/managers:

- |                                  |                                 |                   |
|----------------------------------|---------------------------------|-------------------|
| ♦ Communication                  | ♦ Planning                      | ♦ Decision Making |
| ♦ Directing and Motivating Staff | ♦ Training and Developing Staff |                   |

**C. Employee Guidelines** — Guidelines for employees regarding the Performance Plan and Appraisal Report.

### V. SIGNATURE PAGE

**A. Performance Plan/Key Objectives Sign-Off** — Signatures of the supervisor and the employee, the date they met to finalize the plan, the signature of the reviewer, and the date of the review.

**B. Mid-Period Performance Review Meeting** — Signatures of the supervisor and the employee and the date they met to review progress on the plan.

**C. Reviewer's Certification** — Information regarding the reviewer of the report. This is the person who directly supervises the reporting supervisor/manager.

**D. Reporting Supervisor/Manager** — Information regarding the reporting supervisor/manager of the report. This is the person who directly supervises the employee's performance.

**E. Employee's Statement** — Employee's opportunity to respond to the PPA Report using a checklist, signature and date. Signing the report only certifies that the employee has read it. It does not indicate, unless marked, that the employee agrees with the report.

**VI. EXPLANATION OF SECTIONS** — Basic information about what should be included in each section of the Performance Plan and Appraisal Report.



City and County of San Francisco

Mark Farrell

Mayor

San Francisco Department of Public Health

Barbara A. Garcia, MPA

Director of Health

Human Resource Services

Labor Relations Division

(415) 759-3388

Fax: (415) 759-3365

Via Regular Mail and Certified Mail – Return Receipt Requested

April 2, 2018

Emma Gerould

SEIU Local 1021

350 Rhode Island St, Building 100 South

San Francisco, CA 94103

**RE: Cheryl Denson-Thornton's New Assignment**

Dear Ms. Gerould:

Thank you for meeting with Roxana Castellon, Sharon Keyes, and myself on March 27, 2018 regarding Cheryl Denson-Thornton's new assignment. Also present at the meeting were Ms. Denson-Thornton and union representative Jessica Inouye. At the beginning of the meeting, you indicated that you believed the change of assignment to a new location was in violation of the collective bargaining agreement, unlawful, and that you would be filing a grievance and submitting an unfair labor practice charge.

On March 19, 2018, Ms. Castellon and I met with Ms. Denson-Thornton, Ms. Inouye, and yourself to provide Ms. Denson-Thornton notice of her new assignment location and her start date of April 2, 2018. We also agreed to meet on March 27, 2018 to discuss her assignment description.

The Department of Public Health (Department) has a management right of assignment and has the ability to move employees within the authority of the Appointing Officer, as long as the duties and responsibilities are consistent with the classification of the employee and the employee is provided proper notice under the Collective Bargaining Agreement.

As discussed at the meeting on March 27, 2018, the Department has an operational necessity to support primary care and the entire network. Ms. Denson-Thornton's background and skillset are needed in fulfilling a significant operational gap of health outreach project lead. Ms. Castellon and Ms. Keyes carefully reviewed not only the needs of the operation, but also Ms. Denson-Thornton's classification description and performance appraisal to ensure that her skills would be maximized at the new assignment. The new assignment continues to be in a leadership role, as Ms. Denson-Thornton will be establishing protocols and assessing the needs to carry on the outreach work to bring high utilization patients back into the DPH network. It is costing the network millions of dollars when patients seek services outside of the DPH network. This assignment will also eliminate the redundancy of leadership in the clinic that has negatively affected clinic operations.

Ms. Denson-Thornton stated that she objected to the move because she does not possess the necessary language skills since a large number of the patients outside of the network are Spanish, Cantonese, or Mandarin speakers. Ms. Keyes emphasized that her primary role is to establish the protocol and conduct a needs assessment. Ms. Keyes also stated that even if Ms. Denson-Thornton were to speak to a patient who does not speak English, she can use Interpreter Services to communicate with that patient population, as Ms. Keyes does herself.

Attachment 1

Emma Gerould  
April 13, 2018  
Page 3

c. *What is the reason for the practice management being moved?*

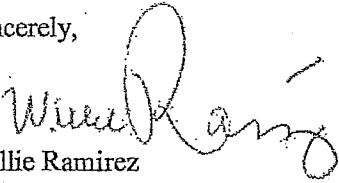
Same as #4b above.

5. *Please clearly explain the third reason-intimidation and fear. What relationship does this have with Cheryl's forced reassignment?*

The union has been provided with the information from multiple staff expressing fear of retaliation from Cheryl.

Lastly, please find attached the draft copy of Cheryl's performance appraisal that the Department completed for period beginning August 29, 2017 to March 31, 2018 as well as the March 14, 2018 memo to Cheryl regarding location and assignment change effective April 2, 2018 (Attachment 4).

Sincerely,



Willie Ramirez  
Labor Relations Director

Attachments (4)

cc: Roxana Castellon, DPH



City and County of San Francisco  
Mark Farrell  
Mayor

San Francisco Department of Public Health  
Barbara A. Garcia, MPA  
Director of Health

Human Resource Services  
Labor Relations Division  
(415) 759-3388

Via Certified Mail  
Return Receipt Request and Regular Mail

April 13, 2018

Ms. Emma Gerould  
San Francisco Field Supervisor  
SEIU Local 1021  
350 Rhode Island Street, Suite 100 South Building  
San Francisco, CA 94103-5134

Dear Ms. Gerould:

This is in response to your request for information regarding Cheryl Denson-Thornton's placement at a new location and assignment.

1. *The department's stated reasons for Cheryl being moved to the call center (1) Operational necessity; (2) Duplication of Leadership/ lack of clarity; (3) Intimation/fear. Please confirm that these are the stated reasons.*

This was discussed at the March 27, 2018 meeting with a summary via a letter dated April 2, 2018 (Attachment 1).

2. *Regarding operational necessity:*

- a. *How long has the department been aware that there was monies being lost due to out of network care?*

San Francisco Health Network has known that we lose money when patients seek care out of network which occurs in all integrated health systems. To that end, DPH as a health care system has been shifting its resources and focus more to value-based-care away from a fee-for-service model (PRIME, QIP incentive money). The DPH network is beginning to prioritize patients who are at a vulnerable transition in managing their care (during and after hospitalization is one of the most vulnerable transition periods of patients) in making sure that they are getting the follow-up care they need. DPH has done a good job of this with patients who are known to our primary care system. Accordingly, Cheryl having a knowledge of our primary care system will be instrumental in engaging patients back to the network.

a. Please provide a breakdown of language demographics of patients using of network care.

Language	Count of MRN1	% of Total
English	37,218	57.3%
Spanish	15,902	24.5%
Chinese	8,404	12.9%
Vietnamese	781	1.2%
Russian	734	1.1%
Tagalog	440	0.7%
Korean	227	0.3%
Arabic	191	0.3%
Other	614	0.9%
Declined to Specify/Blank	497	0.8%
Grand Total	65,008	100%

b. Please list of Cheryl's "special skill set" that makes only her qualified for this position.

- A comprehensive and historical knowledge of primary care systems
- A grasp of patient population that we serve
- Strong persuasive and advocacy skills
- Overall knowledge of eligibility and linking patients to care
- A working relationship with all the primary care clinics and is well-versed in referral services

c. Please provide a job description for HW4's at the call center.

Please see Attachment 2.

3. Provide a 1408 list including names, worksites and vacancies.

Please see Attachment 3 and there are no vacancies for Class 1408 Principal Clerks.

4. Regarding duplication of leadership:

a. What is the conflict that the duplication of leadership presents regarding direct supervising employees?

As stated in the March 27, 2018 meeting, the staff at Potrero Hill continue to report that there are interpersonal conflicts that are exasperated because there is duplicity of leadership and is unclear to them who is in charge.

b. What is the rationale for removing 3 employees, practice manager, interim Director of Potrero Hill Health Clinic and Cheryl (1408 and worked at Potrero Hill Health Clinic for 28 years) and replacing with a 1408, acting 2593?

The Department has the right of assignment and can determine how it organizes its operations, therefore, based on operational necessity, assigned the 3 individuals to other locations within the line of authority of the appointing officer.

May 22, 2018

Ms. Shonette Steiger, MSN, PHN, RN  
Email: [imanimaya@hotmail.com](mailto:imanimaya@hotmail.com)

Submit for  
for Hearing  
record

Board of Supervisors, City & County of San Francisco  
1 Dr. Carlton B Goodlett Pl # 244  
SF, CA 94102

**RE: Discrimination, Harassment & Arbitrary Reassignments of African American SFDPH Employees**

Dear San Francisco Board of Supervisors,

My name is Shonette Steiger. I'm an African American (AA) woman with comprehensive clinical and public health nursing experience for over 27 years. I earned my AS degree from CCSF; BSN from SFSU, and also earned my MSN, while working as a single mother of three children. I am a maternal, child, adolescent health advocate; labor & delivery nurse; Public Health Nurse; and Credentialed School Nurse. I'm a frequent international traveler, who's culturally sensitive, and Spanish speaking. Unfortunately, I have suffered trauma of racial discrimination, discrimination related to physical disability, retaliation, arbitrary & capricious reassignments, without objective rationale or DUE PROCESS, by supervisors of San Francisco Department of Public Health (SFDPH) & Hope SF. My experience of discrimination is very similar to Ms. Cheryl Thorton's of Potrero Hill Health Clinic; named within the RESOLUTION before you. In spite of my professional experience and effective community advocacy, I was told that I was "Not the Right Fit" for Hope SF, as the nurse for Sunnydale and Potrero Hill neighborhoods.

I started work as a labor & delivery nurse in 1993 at SF General Hospital. During that time, I was one of two African American nurses on the unit, inclusive of three shifts. What has changed? In 2016, I was one of three AA nurses in the same L&D unit. Witnessing ongoing inequality of medical care of AA patients by nursing professionals an axillary staff was disturbing. I documented and reported incidences of patient discrimination, lack of professionalism, and degrading comments. The administrative solution was to send me to a Cultural Humility Course, facilitated by Dr. Kenneth Harding, who was contracted by Director of Public Health, Barbara Garcia, due to the escalation of complaints of racial discrimination and implicit bias. Ironically, 80% of

participants were People of Color (POC), victims of daily bias and institutional racism. Those who needed to participate in the course were not there.

I was excited to commence public health advocacy with Hope SF in May, 2016. Hope SF is a community revitalization program created to ensure housing, implement health advocacy, address chronic health issues, provide health education, and increase access to healthcare of disenfranchised residents of Alice Griffith, Bay-View Hunters Point, Sunnydale, and Potrero Hill Public Housing Communities, primarily AA neighborhoods. I diligently worked to be visible and establish trusting relationships of Sunnydale residents, while stationed at Sunnydale Health & Wellness Center. I successfully established trust, promoted health, and community advocacy, as evidenced by a petition signed by Sunnydale residents, adamantly demanding my return to their community.

"You're not the Right fit" was shockingly announced during meeting on 01/09/2017, after returning from an authorized medical leave for a work related injury. I injured my back while moving medical equipment with help of residents because I was declined administrative assistance as a form of retaliation for vocalizing concerns. I was not allowed to return to Sunnydale Health Center; temporarily sent to Silver Avenue Health Clinic, and re-assigned to a Pediatric Urgent Care Unit, which is not of my skill set, desire, or physical ability, given documented injury.

Requests for objective explanation for reassignment was never rendered by my supervisor's administrators. Reason for not being "the right fit" was not offered. Requests for Physical accommodations were also denied and I was informed that I would be Reassigned to the Call Center at Laguna Honda Hospital, despite my nursing background. The Call Center is known as the dumping ground for nurses who fail to comply with passivity and abuse. DPH did not attempt to terminate me, as that would be an blatant, illegal act of Discrimination. Reassignments are frequently utilized by DPH as a targeted strategy of retaliation, leading to elimination of AA employees.

Yes, I proceeded to implement my due diligence. I requested and participated in many meetings, consulted with SEIU, filed complaints with SFDPH --EEOP and EOP. The conference with SF'-EEOP Denise Fisher was emotionally traumatic, as I was aggressively interrogated, unjustly criminalized, by what seemed like the acting defense attorney or close friend of my discriminatory supervisors in question, Leslie Dubbin, Rhea Bailey & Nicole Suddeth of Hope SF. It appears that EEOP personnel desperately needs the Racial Humility course and education on Post Traumatic Slave Syndrome, Colorism, Institutional Racism.

This experience was emotionally exhausting, devastating, physically challenging and eventually forced my resignation for fear of continued discrimination and harassment, masked as reassignments. There are many AA colleagues and employees who

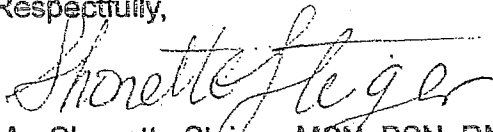


decline filing complaints regarding acts of discrimination, due to FEAR of retaliation, risks of losing their jobs, and the ability to provide for their families.

End all discrimination of AA SFDPH employees and vote YES for the resolution presented today. Implement progressive changes in policy which promotes cultural acceptance, addresses implicit bias, and supports retention of AA professionals. Hold administrators, supervisors accountable for covert discrimination and retaliation. Reinstate AA employees who have been arbitrarily reassigned and punished for effective community health advocacy. Thank you for your active support for justice.

I may be reached via personal email @ [imanimaya@hotmail.com](mailto:imanimaya@hotmail.com). Thank you for your active support for justice and equality.

Respectfully,



Ms. Shonette Steiger, MSN, BSN, RN, PHN  
Maternal, Child Health Advocate  
Public Health Nurse  
Credentialed School Nurse



SAN FRANCISCO HEALTH NETWORK  
SF DEPARTMENT OF PUBLIC HEALTH

SHONETTE STEIGER, MSN, RN  
HOPE SF CARE COORDINATION

1380 HOWARD STREET  
ROOM 526  
SF, CA 94103

MAIN 415-255-3968  
[SHONETTE.STEIGER@SFDPH.ORG](mailto:SHONETTE.STEIGER@SFDPH.ORG)

City and County of San Francisco

Department of Public Health



Edwin M. Lee  
Mayor

San Francisco Health Network

Leslie Dubbin, PhD, MS, RN  
Chief Program Integration  
Officer for Ambulatory Care

January 23, 2017

Dear Shonette:

This memo is to memorialize our meeting held on 1/9/17 at 12 noon at 1380 Howard. Those present at this meeting were myself, you, and Rhea Bailey. In that meeting we conveyed to you that the leadership team of the HOPE SF Wellness Centers feels that this program is not a good fit for you. Feedback from team members, community partners and others, reveal a lack of confidence in your abilities to engage in a multidisciplinary fashion—something the program depends on. Therefore, we are exercising our right to assignment and are moving you to a program where we believe your clinical skills will be well utilized, your professional growth can be supported, and where we have little doubt you will be successful.

Your new assignment will be in 6M beginning 2/1/17. You will report to Deirdre Mcallister, 6M's nurse manager. The shift is 1030-730 and there is a requirement of 2 weekend days per month. Judith Sansone is the nursing director over this area. In the meantime, you will continue your assignment at Silver Avenue Health Center with your last day 1/31/17.

Sincerely,

A handwritten signature in dark ink, appearing to read "Leslie Dubbin".

Leslie Dubbin, PhD, MS, RN  
Chief Integration Officer for Ambulatory Care  
San Francisco Health Network  
San Francisco Department of Public Health

We, the undersigned residents of Sunnydale Neighborhood do hereby petition the San Francisco Mayor Lee's Office, SF Board of Supervisors, City & County of SF, Department of Public Health, SF Human Rights Commissioners to reinstate Shonette Steiger, MSN, RN, PHN, as Hope SF Care Coordinator for Sunnydale's Health & Wellness Center, who rendered service from May 2nd to August 22nd, 2016. Ms. Steiger is an African American experienced nurse who, served our diverse residents, provided culturally sensitive, professional health services, and referrals to providers. She performed outreach, engaged with all community members, used cultural sensitivity and is compatible, well liked, and loved, but was removed without community input or notification. Within a short period she successfully established trusting relationships among residents, who have experienced health inequities, socio-economic disparities, as marginalized community of San Francisco.

NAME (PRINT)	SIGNATURE	ADDRESS	CELL
7/29/17			
Shelly Leonard	Shelly Leonard	94134 9 Blyndale Ave	(415) 424-7455
KENeta howard	KENeta howard	12849 Ua Seda ave	415-685-1159
Dani Johnson	Dani Johnson	1254 Pioneer Ave	(415) 695-1151
Ayanna U'Dong	Ayanna U'Dong	1303 Caterine Ave	(415) 885-2354
Bill Harney	Bill Harney	176 Hahn	415 756-4536
Mark Keola Love-M. L.	Mark Keola Love-M. L.	1912 S.D	—
Cailla Ellis	Cailla Ellis	1912 S.D	—
Jasmen de B.	Jasmen de B.	1914 S.D	408-876-9013
Shay Howard	Shay Howard	1914 S.D	510-412-1530

Circulator: Steiger RN  
E-Mail: maniraga@hotmail.com

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7/29/17

NAME (PRINT)	SIGNATURE	ADDRESS	CELL
07/29/17			
Devon Gibson	Devon Gibson	35 Santos	(415) 424-5289
Kevon Gibson	Kevon Gibson	35 Santos	(415) 424-5289
Sasha Howard	Sasha Howard	1914 Sunnydale	510-472-4536
Kaneshat	Kaneshat	1929 Sunnydale	415-312-5020
KEYONAH WHITE	KEYONAH WHITE	↑	↑
William Martin	William Martin	1601 Sunnydale	415-724-8295
Nancy A	Nancy A	1854	415-645-7711
YVES ROSE J	YVES ROSE J	34 brookdale	415-533-5141
Abby J	Abby J	34 brookdale	415-533-5112

Circulator:

E-Mail: inani naya@hotmail.com

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NAME (PRINT)	SIGNATURE	ADDRESS	CELL
7/29/17 Luz Hernandez	Luz Hernandez	34 Brookdale	
Manuel Rose	Manuel Rose	76 Blythdale Ave	(415) 520-9133
Benjamin Pardo	[Signature]	1652 Sunnydale Ave	415 914 8828
Joe Wilson	[Signature]	1652 Sunnydale Ave	(415) 570-3662
FLOR RAMOS	[Signature]	1951 Sunnydale Ave	(415) 304 0395
HAROLD MILLER	[Signature]	107 Blythdale Ave	415-235-4290

Circulator: Shonette Steiger RN  
E-Mail: imanishaya@hotmail.com

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NAME (PRINT) 07/29/17	SIGNATURE	ADDRESS	CELL
Sasha Howard	Sasha Howard	1914 Sunnydale	
Justin Lin		1653 Sunnydale	
Adrian Chen		948 Rolph Street	
Becky Liu		1655 Sunnydale	
Isabelle Chen		948 Rolph St.	
Terri-Yanna Butler		119 Brockdale Ave	
Mark idalane		1912 Sunnydale	
Serenity Brown		1914 Sunnydale Ave	408-876 9013

Circulator: Shonette Steiger RN  
E-Mail: shonette.steiger@sfph.org

We, the undersigned residents of Sunnydale Neighborhood- do hereby petition the San Francisco Mayor Lee's Office, SF Board of Supervisors, City & County of SF, Department of Public Health, SF Human Rights Commissioners to reinstate Shonette Steiger, MSN, RN, PHN, as Hope SF Care Coordinator for Sunnydale's Health & Wellness Center, who rendered service from May 2nd to August 22nd, 2016. Ms. Steiger is an African American experienced nurse who, served our diverse residents, provided culturally sensitive, professional health services, and referrals to providers. She performed outreach, engaged with all community members, used cultural sensitivity and is compatible, well liked, and loved, but was removed without community input or notification. Within a short period she successfully established trusting relationships among residents, who have experienced health inequities, socio-economic disparities, as marginalized community of San Francisco.

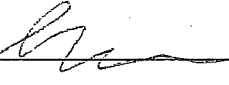

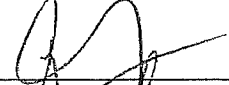

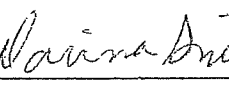
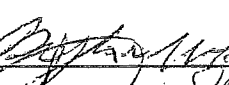

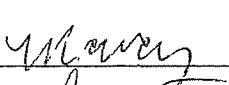
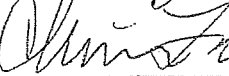
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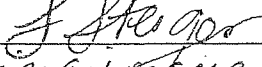
NAME (PRINT)	SIGNATURE	ADDRESS	CELL
08/29/17			
Judy Taylor	Judy Taylor	12 Blythdale	415-451-7882
Derrill Shaw	Derrill Shaw	1720 Sunnydale	415-955-7000
Herman Yee	Herman Yee	1163 Mission, #320	415-533-0003
Mary Ann Pikes	Mary Ann Pikes	4 Blythdale	415-261-5133
Yu Ann Zhao	Yu Ann Zhao	3 SANTOS ST	415-586-1620
BI FANG	BI FANG	1616 Sunnydale	415-237-8687
Jose M. Sosa	Jose M. Sosa	18 Hale ST	415-410-5446
Maria Vilches	Maria Vilches	1628 Sunnydale	415-286-2124
Ana Barrios	Ana Barrios	50 Raymond Ave	(415) 802-9522

Circulator: Steiger RN  
 E-Mail: marichaya@hotmail.com

We, the undersigned residents of Sunnydale Neighborhood: do hereby petition the San Francisco Mayor Lee's Office, SF Board of Supervisors, City & County of SF, Department of Public Health, SF Human Rights Commissioners to reinstate Shonette Steiger, MSN, RN, PHN, as Hope SF Care Coordinator for Sunnydale's Health & Wellness Center, who rendered service from May 2nd to August 22nd, 2016. Ms. Steiger provided culturally sensitive, professional health services, and referrals to providers. She has a pleasant personality, is welcoming, engages with all community members, is culturally competent, and participates in community events. Within a short period she successfully established trusting relationships among residents who have experienced various socio-economical, health challenges. We, hereby declare, Ms. Steiger is the "RIGHT FIT" to provide health service to our community. She was arbitrarily removed by DPH Administrators without just cause.

08/24/17

NAME (PRINT)	SIGNATURE	ADDRESS	CELL
08/29/17			
Sylvia		1652 Sunnydale	
Chloe Underdug		1704 Sunnydale	(415) 5976265
Cornelia Johns		128 Blythdale	415 3746539
Shannon		15 Santos	(415) 7248717
DAVINA		15 Santos	415-756-4473
Kylan W.		1902 Sunnydale	415-308-9789
D. Steiger		112 Blythdale	(415) 15678930
Brooklyn		1859	415 237-125
Alvin		1715 Sunnydale	

Circulator:   
 E-Mail: imani.majya@hotmail.com



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NAME (PRINT)	SIGNATURE	ADDRESS	CELL
08/29/17			
Kenneth Schiso	Kenneth Schiso	1963 Sunnydale	CLUS 678-0466

Circulator: Shonette Steiger RN  
E-Mail: manikay@a@hotmail.com

**Shonette Steiger, MSN, BSN, RN, PHN**

3042-23<sup>rd</sup> Avenue Oakland, CA 94602

Cell: (510) 696-0016 Email: imanimaya@hotmail.com

***PUBLIC HEALTH NURSE***

***PROFESSIONAL SUMMARY***

- Team oriented nursing professional of 25 years, dedicated to providing compassionate high quality care and health education in clinical and public environments to culturally and economically diverse communities members and groups
- Advocate, care coordinator of health of children, new mothers, families including assessments of acute and chronic illnesses, performing specialized procedures, medication reconciliations, crisis interventions, case management, consultation and medical referrals to providers and health specialist of county and community resources/agencies
- Possess outstanding clinical expertise and proficiency of nursing procedures
- Excellent communication and teaching skills for multi-cultural, lingual clients
- Well organized with ability to prioritize and delegate nursing responsibilities
- Adhere to high ethical nursing standards with professional integrity
- Bi-lingual/Spanish speaking

***LICENSE & PROFESSIONAL AFFILIATIONS***

- California RN License # 470752
- Public Health Nurse Certification #48150
- BLS Certification
- California Nurses Association
- California School Nurse Association

***PROFESSIONAL EXPERIENCE***

2016 - Present	Care Coordinator for Hope SF for Sunnydale & Potrero Neighborhoods, City County of San Francisco, SF, CA
2015 - 2016	Staff RN IV, Labor & Delivery, SFGH, SF, CA
2001 - 2015	Credentialed School Nurse, PHN, Oakland Unified School District Oakland, CA
1999 - 2001	Staff RN II, Labor & Delivery, Alta Bates Summit Medical Center, Oakland, CA
1993 - 1999	Staff RN II, Labor & Delivery, San Francisco General Hospital San Francisco, CA
1991 - 1993	Staff RN II, Medical Surgical Unit, Kaiser Permanente, San Francisco, CA

## *EDUCATION*

Masters of Science, Nursing, Sacramento State University, 2009  
Recipient of Faculty Endowment Scholarship Award, 2007  
Bachelors of Science, Nursing, San Francisco State University, 1991  
Spanish Language & Cultural Studies, Paraguay, South America, 1986  
Spanish Exchange Program, Aguascalientes, Mexico, The Experiment in International Living, 1985

### *Continuing Education Courses:*

Diabetes Management... Mental Health Assessments... NG Tube Feedings ...  
Asthma for Health Professionals... Communicable Diseases for Nurses... Breastfeeding Promotion  
Immunization Standards... Child Abuse Mandated Reporters... Breastfeeding Support  
of Adolescent Mothers... Effective Communication & Problem Solving in the Work Environment...  
Care of HIV Positive Patients... Advance Cardiac Life Support... Neonatal Resuscitation...

## *COMMENDATION*

---

"... Ms. Steiger is the consummate professional, who reacts properly and efficiently on every occasion. I've observed her caring, firm dedication to our students who come to Ms. Steiger for a myriad of illnesses, a few life threatening. She has excellent interpersonal skills and has a very good rapport with students from all cultural and socioeconomic backgrounds..."

Mr. Benjamin Schmookler, Administrator  
Media Academy High School  
Oakland, California

August 1st, 2017

To Whom It May Concern,

It is with great pleasure that I recommend Shonette Steiger, RN, for any position in public service.

I have been a close personal friend of Ms. Steiger's for the past 12 years. She is one of the most self-less people I know. She demonstrates compassion in all facets of her life.

As a nurse, she is a powerful patient advocate. She offers sound medical advice, while caring for her patients in a way that honors their humanity. When I was diagnosed with breast cancer it was Shonette who kept me informed and encouraged me to advocate for my health. Her support was invaluable to me.

As a parent, she is stellar. I know this 1st hand, as I participated in a Mommy Circle with her for many years. She is committed to the success of her children who, under her guidance, are well equipped for the challenges of adulthood. Shonette is a patient, understanding, and loving mother.

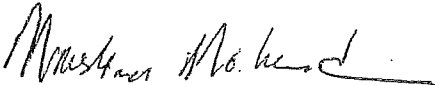
As a friend, Shonette is a rock star! She is always there with real support in a time of need. She is fun-loving, honest, and a light of positivity and joy.

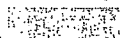
If I were to choose one word that represents her character that word would be integrity.

If Shonette says it, she will fulfill her word. She is one of the best humans I know and I unreservedly recommend her for any position in service. No matter the role, she will certainly be an asset to your team. Please feel free to contact me (510) 978-8816.

Thank you for your attention to this letter.

Most sincerely,



 Mohammed, PAR Consulting Teacher/Coach

OUSD Peer Assistance and Review

6318 Mountain Blvd. Oakland CA 94619

### Letter of Recommendation

Romualdo Melo, RN

584 Castro St. # 641

San Francisco, CA

Date *July 27th, 2017*

To whom it may concern-

I am writing this letter in behalf of a colleague Shonette Steiger, RN. I have had the opportunity to work along side Ms. Steiger for a brief period at the DPH Outpatient Clinic "Silver Avenue Family Health Center". During this period, I had the chance to participate in Ms. Steiger' s orientation to this outpatient facility nursing processes.

Although brief, my experience working with Ms. Steiger revealed she possesses a deep sense of caring for the patients, a keen team spirit, and an openness for positive feedback always demonstrating a sense of collaboration among her team members.

I am available to discuss further my brief and recent professional interaction with Ms. Steiger over the phone as needed. My contact number is 415-218-9160 and am typically available during lunch break hours of 12pm to 1pm or after shift end at 5:00pm.

Sincerely,

*R. Melo*  
ROMUALDO MELO, RN



CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

RECEIVED

2016 SEP 30 PM 3:02

SF Dept. of Public Health  
Human Resources Services

2015-2016

*Duplicate*

# Performance Plan and Appraisal Report

## I. EMPLOYEE IDENTIFICATION INFORMATION

1. LAST NAME, FIRST NAME, MIDDLE INITIAL Steiger, Shonette	2. JOB CODE NUMBER AND TITLE 2320 Registered Nurse	3. STATUS Permanent (PCS)
4. WORK DIVISION & LOCATION AMBULATORY CARE HOPE SF	5. SECTION PRIMARY CARE	6. REASON FOR REPORT <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Dept. Review Period <input type="checkbox"/> Probationary <input type="checkbox"/> Unscheduled
	7. REVIEW PERIOD 7/1/2016-6/30/2017	8. PROBATION START AND END DATE

## II. PERFORMANCE PLAN – JOB DESCRIPTION

### REVIEW OF DUTIES & RESPONSIBILITIES BASED ON JOB DESCRIPTION

**Working Title:** Registered Nurse HOPE SF- 2320

**Position Summary:**

The Registered Nurse is a health care professional who delivers nursing care to a designated population. He/she is responsible for practicing within his/her licensed scope of practice, regulatory and organizational standards, and departmental scope of service. The position requires the knowledge, skills and abilities to provide competent patient care and to utilize time and resources efficiently.

The HOPE SF Nursing Program provides on site nursing services and enrolls and coordinates the care of the most disadvantaged residents of San Francisco—namely those living in the public housing projects of Hunter's View, Alice Griffith, Potrero Annex/Terrace and Sunnysdale. The primary goal of this program is to link residents to primary care medical homes, provide onsite complex care management, referrals to as needed mental health and substance use services, engage the community in wellness activities and provide community wide health education. The HOPE SF nurse coordinates and collaborates with onsite behavioral health clinicians, community based organizations, resident peer leaders, and resident groups to improve the overall health of the community.

The HOPE SF nurse is the clinical lead of a RN/Health Coach dyad and is responsible for assisting in the management of patient healthcare by conducting nursing assessments at home and in the clinic, providing nurse advice over the phone, and triaging patients as appropriate for primary care patients who receive their care within the San Francisco Health Network. The HOPE SF nurse also provides onsite nursing services at each wellness center embedded within each development. The HOPE SF nurse may also assist in all levels of healthcare coordination to patients, family members, and healthcare providers.

All verbal communication is performed in person or over the telephone. All documentation and communication of patient healthcare needs is done through the computer using various electronic medical record systems and databases, email, or over the telephone. The nature of the work requires sustained and simultaneous use of the telephone and computer.

**Job Duties, Responsibilities and Expectations:**

- 1) **Attendance, Punctuality and Recording of Work Time:** Regular and prompt attendance is an essential requirement. HOPE SF staff report to their work stations at their scheduled work time. Unless an approved alternate or modified work schedule, all staff actively work for 8 hours per day within 9 hours. Time records accurately reflect the time work started and the amount of hours worked in every day. SFDPH Human Resources Department identifies potential excessive use of sick leave as the use of 11 or more sick days annually. All planned absences are requested and approved in advance. For illness, emergencies or other unplanned and unforeseeable absences, the supervisor or designee is notified as soon as possible as per the unit time and attendance policy.
- 2) **Office Ethics, Etiquette and Environment:** HOPE SF nurses must maintain the highest standards of professional ethics and treat colleagues and residents with courtesy, respect and dignity. HOPE SF nurses work cooperatively with colleagues and clients to promote an environment of trustworthiness, respect, responsibility, fairness, caring and citizenship. HOPE SF nurses are expected to maintain a positive and proactive attitude about the challenges that residents, managers, supervisors, staff and organizations face. HOPE SF team members actively participate in team meetings in a productive, participatory manner. The HOPE SF team maintains positive relations with all San Francisco Health Network Primary Care and Behavioral Health management and staff.
- 3) **Interaction With the Nursing Director:** HOPE SF nurses report directly to the Nursing Director (2324). HOPE SF nurses are expected to initiate meetings with the Nursing Director to communicate information about any issues and/or problems that affect HOPE SF policies, patients, and/or operations. HOPE SF team members perform other duties when requested by the Nursing Director. HOPE SF team members should expect and will receive coaching on all areas of work within the HOPE SF program.

4) **Customer Service:** HOPE SF nurses provide care and services to residents of disadvantaged communities, patients, families, community members and the healthcare community at large in a friendly, professional and patient manner consistent the Service Excellence standards that the Department of Public Health prioritizes. The team, possesses the customer service skills to deal with frustrated, medically complicated patients, their patients and healthcare providers in a positive way that prioritizes the patients needs and results in an effective resolution.

5) **Nursing Standards of Care:** HOPE SF nurses demonstrate the ability to competently perform a nursing assessment, nurse diagnosis, develop an individualized care plan, implement the plan of care, and evaluate the patient response. This includes the ability to:

- Collect, analyze and interpret patient data in a systematic and consistent manner from all of the electronic medical records available.
- Formulate nursing diagnoses and identify patient problems based on the patient's report as well as the nursing assessment and age-specific needs.
- Give and receive report of patient assessment and needs upon transfer to and from other co-workers or to the patient's clinic in a manner that ensures patient safety and results in positive health outcomes.
- Interact with patients in an appropriate language. The HOPE SF program makes regular use of telephonic interpreter services and also seeks help from other co-workers to meet the language needs of patients.

- Provide timely patient triage, patient education with clinical competence and judgment.
- Follow established protocols for the management of patient care;
- Performs the initial and continued assessment of patient health status to ensure ongoing progress toward treatment goals in the patient's home and in the clinic;
- Develops the patient's individualized care plan based on the initial assessment, diagnosis, healthcare access options while ensuring the plan is realistic for the patient and family.
- Provides comprehensive assessment of patient needs including health care system utilization;
- Makes treatment decisions for chronic medical problems utilizing approved standing orders;
- Administers immunizations, TB screening, medications and blood draws consistent with current guidelines and established protocols;
- Provides health education as part of primary care, especially around chronic disease management, medication management, activities of daily living, and risk reduction in a variety of categories – this includes teaching patients and caregivers about treatments, procedures, how to achieve/maintain wellness, meet continuing care needs and manage various stages of illness and stages of change.
- Identify client/caregivers' learning needs and implement appropriate measures to meet those needs.

- Direct patients to appropriate dispositions sites (EG: urgent care, emergency room, clinic appointment, etc) as needed.
- Initiate action and respond appropriately in emergencies.
- Document and communicate assessments, plans, interventions and evaluations in a complete, accurate, readable and timely manner in the appropriate electronic format.
- Assess and treat clients who may have substance abuse problems, homelessness and mental health issues;
- Assess and treat clients with multiethnic, multilingual, sexually diverse backgrounds;
- Provide telephone outreach and follow-up as needed;
- Provide clinical services and commutes to multiple work locations;
- Provide other clinical and assessment duties as assigned.

6) **Patient Advocacy/Ethics:** Protects the autonomy, dignity, safety, rights, and quality of care of residents by initiating action and follow up by:

- Assessing/addressing patient and family concerns and education needs with regard to decision-making (e.g. informed consent), use of services, health promotion, and meeting ongoing health care needs
- Ensuring that questionable plans of care or interventions from any health care provider (e.g. wrong drugs) are identified and resolved to maintain patient safety and meet expected outcomes.
- Providing client care in a manner that is both non-discriminatory and nonjudgemental;
- Obtaining resources to help formulate ethical decisions and advocate for patient needs, wants, and rights.
- Identifying and assessing victims of violence, abuse and neglect to ensure they are reported and given appropriate care/referrals to maintain their safety.



- Adhering to all regulatory and organizational policies and procedures.
- Identifying quality improvement issues.
- Completing Unusual Occurrence reports.

7) **Performance Appraisal/Education:** Demonstrates accountability for professional competency and growth, and maintains and upgrades own knowledge, skills and abilities by:

- Maintaining current professional licensure and certifications
- Identifying strengths and areas for development; takes action to achieve goals
- Evaluating own practice in relation to professional standards
- Seeking out help and assistance from the team or the nursing director as needed to ensure patient safety and the operations of the HOPE SF wellness program.
- Attending educational/mandatory classes
- Attending HOPE SF team and wellness center staff meetings
- Identifying opportunities to improve own professional development

8) **Leadership, Continuous Quality Improvement and Research:** Maintains research as the scientific foundation for practice and functions in a leadership role by:

- Incorporating research findings into practice.
- Acts as the clinic lead for the HOPE SF team.
- Provides clinical guidance, training and support to non-license team members.
- Participating in Clinical Quality Improvement and/or research activities.
- Supports and advises healthcoaches on assessing for red-flags that indicate decline in patient health status and need for early intervention to avoid ED visit or admission;
- Supervises health coaches in medication reconciliation and medication adherence;
- May provide regular supervision of healthcoach team members which includes performance planning and appraisal
- Participates in measuring metrics for quality improvement and program evaluation;
- Maintains patient records, billing documentation and all other administrative records, documentation and correspondence;
- Attends regular meetings and case conferences;
- Attends to patient in the clinic through nurse visits, and tandem visits with providers;
- Collaborates effectively and collaborates with members of the multidisciplinary team, primary care clinics, primary care providers and members of the community;

- Acts as a super user for computer applications necessary for documentation and communication across systems and locations;
- Demonstrates flexibility in work environment and tasks with positive attitude towards change;
- Assisting other team members as needed
- Demonstrating problem solving skills in a manner which promotes patient advocacy, customer service, and a team approach
- Responding effectively in stressful situations
- Participating actively in committees and unit based processes
- Precepting new team members
- Identifies need for protocol and forms update and revisions as necessary
- Provides other related duties as assigned.

9) **Resource Utilization and Computer Use:** Utilizes work time and resources effectively by:

- Conserving and maximizing the use of materials and supplies.
- Organizing and prioritizing work to maximize productivity during peak work loads and slack periods.
- Completing assignments in a timely manner.
- Checking email daily for program updates
- Using email to communicate with nursing director, team members, and healthcare providers.
- Utilizing eCW, LCR, email and other computer programs simultaneously.

- 10) **Productivity:** Contributes to the productivity of the HOPE SF team as a whole to ensure the unit meets the operational needs of primary care patients and provides excellent customer service by:
- Manage and carry a caseload of the high complexity patients – up to 150 primary care patients.
  - Maintains awareness of overall caseload acuity as well as patients at highest risk for hospitalization;
  - Provides written reports, patient documentation, and other assignments in a complete, accurate, coherent, readable, and timely manner.
  - Demonstrating the skills to maneuver through and document in multiple computer programs in a manner so that calls are answered and completed in a timely manner.
- 11) **Personnel:** Adheres to hospital/departmental personnel policies (attendance, punctuality, break times, requesting time off, floating, sexual harassment, and violence in the workplace). Attends mandatory classes. Maintains professional appearance and clean workspace.
- 12) **Documentation:** Providing written reports, log book entries, patient documentation, and other assignments in complete, accurate, readable, and timely manner.
- 13) **Statement of Incompatible Activities:** Fully comply with the department's Statement of Incompatible Activities as approved by the Ethics Commission. Compliance includes, but is not limited to: Restrictions on Incompatible Activities; Restrictions on Use of City Resources, City Work-Product and Prestige; and Prohibition on Gifts for Assistance with City Services.
- 14) **Use of City and County Property for Business Purposes Only:** All City equipment, devices, and materials (i.e., photocopier, telephones, computers, vehicles, stationery, fax machines, etc.) must be used only for conducting City business.
- 15) **DSW Preparedness:** Take all necessary steps to prepare yourself for an emergency, in your capacity as a Disaster Service Worker; provide updated personal contact information to your department so that you can be contacted in the event of an emergency; report in and respond promptly to instructions by the City and/or your department in the event of an emergency; participate in any drills or emergency exercises as notified; and carry out disaster-related work assignments as required; complete all required disaster-related trainings.
- 16) **Compliance with Rules, Policies and Procedures:** Fully comply with all Departmental rules, policies and procedures. Also comply with City rules and policies in the Employee Handbook including, but not limited to: Policy on Equal Employment Opportunity; Policy on Equal Opportunity and Reasonable Accommodation for Individuals with Disabilities; Policy Prohibiting Harassment; Policy Prohibiting Employee-Violence in the Workplace; Policy Regarding the Treatment of Co-Workers and Members of the Public; Responsibility for Responding to and Reporting Discrimination, Retaliation and Harassment; Reporting and Responding to Workforce Violence; etc.

**Patient/Client Population:** Patients of all ages who are patients of the San Francisco Health Network.

**Reporting Relationships:**

- Reports directly to the Nursing Director for HOPE SF or designee.
- Collaborates with all San Francisco Health Network healthcare providers.
- Is evaluated by the Nursing Director, the Director of Equity and Community Wellness Programs, and the Director of Child, Youth and Family System of Care.

**Functional Working Title:**  
HOPE SF Registered Nurse

**1. Attendance,  
Punctuality and  
Recording of Work  
Time**

**COMMENTS:** Shonette has not exceeded the sick time use standard. However, she does need to review policies and procedures for timely notification of work related injuries and timely submission of work status reports.

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PERFORMANCE PLAN AND APPRAISAL REPORT

2. Office Ethics, Etiquette and Environment	COMMENTS: After verbal counseling, I am certain that Shonette understands that it is essential to maintain the proper professional decorum at all community events. She has made good in-roads to the community and attends many community functions. Continue to work on building collegial professional relationships with other staff members, service providers, community liaisons, and neighborhood organizations
3. Interaction With the Nurse Manager	COMMENTS: Brings program related issues to the Director's attention timely. Has demonstrated flexibility and willingness to accommodate the community's needs when scheduling her participation in community events.
4. Customer Service	COMMENTS: Has demonstrated a strong advocacy for residents and possesses an empathetic demeanor when dealing with the community.
5. Nursing Standards of Care	COMMENTS: Shonette possesses a wide breadth of nursing knowledge and can collect, analyze and interpret complex patient data and use it to develop nursing diagnoses and appropriate plans of care systematically and consistently. She engages in community outreach and focuses patient education to conditions of relevance to the community. She demonstrates sound clinical judgement and follows established protocols and standing orders; elicits medical consults and referrals appropriately. Shonette is technically proficient with administering immunizations, TB screening/reading, medications consistent with guidelines and established protocols. She provides family centered health education including chronic disease management, perinatal health, sexual health, medication management and risk reduction and encourages residents to participate in wellness activities. Shonette easily moves and engages multiethnic populations and those with sexually diverse background in a respectful and non-judgemental manner.
6. Patient Advocacy/Ethics	COMMENTS: Shonette is a strong resident advocate in addressing resident and family concerns. She is willing to step outside the "medical" boundary to assist as necessary in obtaining appropriate referrals and other resources.
7. Performance Appraisal/Education	COMMENTS: Maintains appropriate certifications and licensure. Seeks out help as necessary to ensure patient/resident safety.
8. Leadership, Continuous Quality Improvement and Research:	COMMENTS: Shonette appears to stay abreast of the latest best practices particularly in the realm of women's health, maintains accurate billing and administrative records and documentation. Communicates appropriately to clinic providers.
9. Resource Utilization and Computer Use	COMMENTS: Demonstrates utilization of resources efficiently; completes assignments on time.
10. Productivity	COMMENTS: Is currently establishing an increasing caseload. Communicates reports coherently and completely.
11. Personnel	COMMENTS: In compliance. As noted above needs to review workman's comp related responsibilities.
12. Documentation	COMMENTS: Completes encounter form documentation appropriately. Review necessary documentation and responsibilities for proper storage and documentation required for vaccines.
13. Statement of Incompatible Activities	COMMENTS: In compliance

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14. Use of City and County Property for Business Purposes Only	COMMENTS: In compliance
15. DSW Preparedness	COMMENTS: In compliance
16. Compliance with Rules, Policies and Procedures	COMMENTS: In compliance

### III. PERFORMANCE PLAN – KEY OBJECTIVES

<p>Departmental Goal: Be the first choice for health care and well-being for all San Franciscans.</p> <ul style="list-style-type: none"> <li>• QUALITY - Improve the health of the people we serve</li> <li>• CARE EXPERIENCE - Provide the best health care experience</li> <li>• WORKFORCE - Create an environment that values and respects our people</li> <li>• FINANCIAL STEWARDSHIP - Provide financially sustainable health care services</li> <li>• EQUITY - Eliminate disparities</li> <li>• SAFETY- Eliminate harm to patients and staff</li> </ul>	
<p><b>OBJECTIVE</b> Quality: Improve the health of the people we serve</p>	<p><b>REVIEW OF PERFORMANCE:</b> Shonette has been working to establish her presence and build a network of mutual trust with the residents of Sunnydale. She actively participates in community events and is visible to the community. Over the next year, Shonette is to broaden her reach to include Potrero-Annex/Terrace, work closely with CBOs that service Potrero and continue her outreach at Sunnydale.</p>
<p><b>OBJECTIVE</b> Workforce: Creates an environment that values and respects our people</p>	<p><b>REVIEW OF PERFORMANCE:</b> As part of a much larger system of care, over the next review period, Shonette will work to build strong and respectful relationships with other team members, peer leaders, and CBO representatives.</p>

Wellness Center Goal(s): (TBD by Management Team)	
<p><b>OBJECTIVE</b> Eliminate harm to patients and staff</p>	<p><b>REVIEW OF PERFORMANCE:</b> HOPE SF is a new program designed to bring onsite health and wellness services to the most distressed housing developments in San Francisco. Shonette strives and succeeds in creating a safe space for residents to pursue and engage wellness services. Over the next review period, Shonette will avail herself of the plethora of resources the Department has in order for the working space to be safe for her (i.e. enlisting help from facilities to move heavy objects).</p>

Discipline Goal(s): Created by Managers and Discipline Leads/Directors)	
<p><b>OBJECTIVE</b> Incorporate research into practice.</p>	<p><b>REVIEW OF PERFORMANCE:</b> Over the next year, Shonette will incorporate research of her choosing into her practice specific to serving distressed communities.</p>

Professional Development Goal (TBD together by manager and direct report)	
<p><b>OBJECTIVE</b> Provide educational group classes around pregnancy related issues, new born care, parental skills, reproductive concerns.</p>	<p><b>REVIEW OF PERFORMANCE:</b> Will convene a young mothers' pregnancy support group at least 6 times over the course of the next year.</p>

## IV. APPRAISAL REPORT SUMMARY

### A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Job Description, Departmental policies and procedures, and the Performance Plan's Key Objectives for the review period. Circle the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Contribution to achievement of HOPE SF goals needs improvement; did not meet many or majority of objectives.	Contributed to achievement of the HOPE SF vision competently and effectively; met the objectives. (Meets Competent and Effective requirement)	Contributed to achievement of HOPE SF vision with exceptional competence and effectiveness; exceeded the objectives.
1	X 2	3

### B. COMMENTS REGARDING OVERALL PERFORMANCE

Shonette has contributed to the mission of the HOPE SF competently. She certainly understands the philosophy of HOPE SF and structural mechanisms of inequalities that HOPE SF is trying to address. She is a steadfast advocate for the community and is able to outreach effectively to foster trust amongst the residents. She is currently managing a core group of patients with complex needs. Over the next year, the goal will be to outreach leaders and CBOs at Potrero Annex/Terrace and begin the process of community engagement.

### C. EMPLOYEE GUIDELINES -- PERFORMANCE PLAN AND APPRAISAL REPORT

1. Employee should review his/her employee organization's Memorandum of Understanding with the City and County of San Francisco for information that may add to or modify the following list of guidelines.
2. Employee has the right to read the Performance Plan and Appraisal Report.
3. Employee has the right to receive a copy of the Performance Plan and Appraisal Report.
4. Employee has the right to discuss the report with the Reporting Supervisor or Manager.
5. Employee has the right to attach a rebuttal to the Performance Appraisal Plan and Report. The rebuttal must be presented within 30 working days of the report date. The rebuttal should only address the items presented in the report.
6. Employee may request a conference, if requested, with the Reviewer (Reporter's supervisor or manager).

## V. SIGNATURE PAGE

### PERFORMANCE PLAN

#### A. Performance Plan/Key Objectives Sign-Off

1. REVIEWER SIGNATURE Rhea Baily, MPH Director of Equity and Community Wellness Programs	2. REVIEW DATE 9/23/16	
3. SUPERVISOR SIGNATURE Leslie Dubbin, PhD, MS, RN	4. EMPLOYEE SIGNATURE Shonette Steiger, RN, MSN	5. MEETING DATE 9/23/16

#### B. Mid-Period Performance Review Meeting

1. SUPERVISOR SIGNATURE Leslie Dubbin, PhD, MS, RN	2. EMPLOYEE SIGNATURE Shonette Steiger, RN, MSN	3. MEETING DATE
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### PERFORMANCE APPRAISAL REPORT

#### C. Reviewer's Certification

1. NAME, WORK LOCATION Rhea Bailey, MPH 1380 Howard St San Francisco, CA 94103	2. JOB CODE NUMBER AND TITLE 2593 HPCIII
---	---

3. I CERTIFY THAT I HAVE REVIEWED THIS REPORT: (Signature) <i>Rhea Bailey</i>	5. DATE 9/29/16
--	--------------------

#### D. Reporting Supervisor/Manager

1. NAME Dubbin, Leslie, PhD, MS, RN <i>Leslie Dubbin</i>	2. JOB CODE NUMBER AND TITLE 2324 Nursing Supervisor
--	---

3. DATE OF CONFERENCE WITH EMPLOYEE 9/23/16	4. SIGNATURE <i>Leslie Dubbin</i>	5. DATE 9/23/16
--	--------------------------------------	--------------------

#### E. Employee's Statement

1. <input checked="" type="checkbox"/> I AGREE WITH THIS REPORT.	2. CONFERENCE DATE 9/23/2016
--	---------------------------------

CITY & COUNTY OF SAN FRANCISCO • DEPARTMENT OF HUMAN RESOURCES  
PERFORMANCE PLAN AND APPRAISAL REPORT

- ☐ I DO NOT AGREE WITH THIS REPORT: SECT. \_\_\_\_ NO. \_\_\_\_
- ☐ I HAVE ATTACHED A REBUTTAL.
- ☐ I HAVE ATTACHED A REBUTTAL AND REQUEST A CONFERENCE WITH THE REVIEWER.

3. SIGNATURE CERTIFIES I HAVE READ THE REPORT

*[Handwritten Signature]*

☐ DECLINED TO SIGN. DATE:



## Carroll, John (BOS)

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**From:** pmonette-shaw <pmonette-shaw@earthlink.net>  
**Sent:** Monday, September 17, 2018 5:02 PM  
**To:** Kim, Jane (BOS); Peskin, Aaron (BOS); Brown, Vallie (BOS)  
**Cc:** Cohen, Malia (BOS); Fewer, Sandra (BOS); Ronen, Hillary; Safai, Ahsha (BOS); Calvillo, Angela (BOS); Hepner, Lee (BOS); Kittler, Sophia (BOS); Carroll, John (BOS)  
**Subject:** Testimony to the GAO Committee on African-American Workforce, File No. 180630  
**Attachments:** Testimony to the GAO Committee on African-American Workforce, File No 180630 18-09-17.pdf; Addendum to GAO Committee Testimony on African-American Workforce, File No. 180630.pdf  
  
**Categories:** 180630, 2018.09.19 - GAO

Government Audit and Oversight Committee  
The Honorable Jane Kim, Chair  
The Honorable Aaron Peskin, Member  
The Honorable Vallie Brown, Member

Please find enclosed my testimony for Wednesday's GAO hearing on African-American workforce hiring, retention, etc. My testimony is based on public records I have received in response to records requests to the City Attorney's Office and DHR.

### Of note:

DHR provided the racial/ethnicity breakout of City employees at the end of FY 09–10 and FY 17–18. Table 1.1 in my testimony shows that citywide, an additional 6,810 total employees were added across all departments during that period, representing a 25.1% percent change increase.

Of note, although an additional 2,912 Asian/Pacific Islander employees were added, representing a 45.1% percent change increase, there were only 667 African-Americans added, representing a 14.8% percent change increase. Of the 6,810 additional City employees 3,448 were either Asian/Pacific Islanders or Filipino employees, representing 50.1% — or half — of the total increase during the tenure of former-Mayor Ed Lee, potentially signaling bias in workforce hiring.

Of the 1,459 additional employees added at DPH during the same period in DPH, 867 were either Asian/Pacific Islanders or Filipino employees, 59.4% — well over half — of the increase during former-Mayor Ed Lee's tenure, again potentially signaling bias in hiring. That contrasts with the 196 additional African-Americans who represent just 13.4% of the 1,459 employees added in DPH.

Separately, DHR also provided the number of racial discrimination complaints for calendar years 2016 and 2017, claiming it does not have racial discrimination complaint data for previous years, and does not produce annual reports on the racial discrimination complaints received.

Table 2 in my testimony shows that of the 198 total complaints received during the two calendar years, 107 (54%) were filed by African-American city employees.

Data provided incrementally over the years from the City Attorney documents at least 329 prohibited personnel practices lawsuits have cost the City \$70 million in total costs between January 1, 2007 and December 22, 2017, including settlement awards and City Attorney time and expenses hoping to squash or derail the lawsuits. Of the 329 lawsuits 142 (43.2%) involved just three prohibited personnel practices: Racial discrimination, sexual harassment and discrimination, and wrongful termination. Those 142 cases cost \$43 million in total costs, fully 61.3% of the \$70 million total.

My full testimony summarizes those 142 lawsuits, including 52 lawsuits involving racial discrimination that has cost the City a total of \$13.4 million between settlements awarded and costs of City Attorney time and expenses.

Of the 52 racial discrimination lawsuits, the race/ethnicity of each Plaintiff was not completely available on the Superior Court web site, but Table 3.4 in my full testimony illustrates that 10 Racial Discrimination lawsuits filed by African-Americans received just \$586,631 in settlement awards, while the 3 Racial Discrimination lawsuits filed by Caucasian/White's received three time as much — \$1,585,258 — in settlement awards for only one-third the number of lawsuits.

Table 4 in my testimony shows that of the 142 lawsuits across the three categories (racial discrimination, sexual harassment and discrimination, and wrongful termination), 26 (18.3%) of them were filed by employees in the Department of Public Health, with total costs of \$5.7 million of the \$43 million total.

I include a number of recommendations in my testimony to increase reporting requirements in File No. 180546: *Harassment Prevention Training and Reporting Requirements* that is languishing in the Board of Supervisors Rules Committee.

The Government Audit and Oversight Committee should request during your September 19 hearing that many amendments need to be made and incorporated into File No. 180546 *Harassment Prevention Training* to expand protections for City employees, and expand reporting requirements, particularly reports to the full Board of Supervisors.

There's much more information in my testimony. Please take a few minutes to read my full testimony and recommendations.

Thanks,  
Patrick Monette-Shaw

## Patrick Monette-Shaw

975 Sutter Street, Apt. 6  
San Francisco, CA 94109  
Phone: (415) 292-6969 • e-mail: [pmonette-shaw@earthlink.net](mailto:pmonette-shaw@earthlink.net)

September 17, 2018

Government Audit and Oversight Committee  
San Francisco Board of Supervisors  
The Honorable Jane Kim, Chair  
The Honorable Aaron Peskin, Member  
The Honorable Vallie Brown, Member  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: Testimony to the GAO Committee on African-American Workforce, File No. 180630

Dear Chair Kim and GAO Committee Members,

I am submitting some background data from records produced by DHR and the City Attorney's Office in response to public records requests regarding agenda item 6 on the GAO's September 19 agenda.

### 1. Race/Ethnicity Data Provided by DHR

On May 8, 2018 I placed a records request to DHR requesting racial/ethnicity data by City Department for FY 2010-2011 and FY 2016-2017 requesting the data in two separate Excel files. Rather than providing me with end-of-year data as of June 30, 2011 and June 30, 2017, for some inexplicable reason the records DHR provided me were dated as of July 1, 2010 and July 1, 2017 that may not be representative of the entire *fiscal years* in question, and which seems to be a backward understanding of what is meant by a fiscal year.

With that said, the data is instructive.

**Table 1.1: Citywide Employees by Race/Ethnicity**

Citywide Departments	American Indian/ Alaskan Native	Asian Pacific Islander	Black	Filipino	Hispanic	Multi-racial	Unknown	White	Total
Citywide Total — FY 09–10	128	6,462	4,503	3,443	3,849	5	0	8,691	27,081
Citywide Total — FY 17–18	166	9,374	5,170	3,979	5,123	136	1	9,942	33,891
Increase Raw Number	38	2,912	667	536	1,274	131	1	1,251	6,810
Percent Change Increase	29.7%	45.1%	14.8%	15.6%	33.1%	2620.0%		14.4%	25.1%

Source: San Francisco Department of Human Resources

Of note:

- Citywide, an additional 6,810 total employees were added across all Departments, representing a 25.1% percent change increase.
- Although an additional 2,912 Asian/Pacific Islander employees were added, representing a 45.1% percent change increase, and an additional 1,274 Hispanics were added, representing a 33.1% percent change increase, there were only 667 African-Americans added, representing a 14.8% percent change increase — while there were 1,251 Caucasian/White employees added.
- It is notable that between July 1, 2010 and July 1, 2017, of the 6,810 additional City employees 3,448 were either Asian/Pacific Islanders or Filipino employees, 50.1% — or half — of the 6,810 increase during the tenure of former-Mayor Ed Lee, potentially signaling bias in hiring. That contrasts with the 667 additional African-Americans who represent just 9.8% of the 6,810 employees added citywide.

**Note:** The formula to calculate percentage change increases is:  $(\text{Year 2} - \text{Year 1}) \div \text{Year 1}$ .

Data for the Department of Public Health, shown on the next page, is instructive.

Table 1.2: DPH Employees by Race/Ethnicity

Department	American Indian/ Alaskan Native	Asian Pacific Islander	Black	Filipino	Hispanic	Multi-racial	Unknown	White	Total
Public Health — FY 09–10	16	1,230	632	1,407	778	0		1,388	5,451
Public Health — FY 17–18	25	1,940	828	1,564	1,012	13		1,528	6,910
Increase Raw Number	9	710	196	157	234	13		140	1,459
% Mix of DPH Increase	0.6%	48.7%	13.4%	10.8%	16.0%	0.9%		9.6%	100.0%
Percent Change Increase	56.3%	57.7%	31.0%	11.2%	30.1%			10.1%	26.8%

Source: San Francisco Department of Human Resources

- Of the 1,459 additional DPH employees, the 710 additional Asian-Pacific Islanders represented 48.7% of the 1,459 additional employees, while the 196 additional African-American employees represented just 13.4% of the 1,459-headcount increase.
- Turning to percent change increases, the additional 710 Asian-Pacific Islander employees in DPH represented a 57.7% percent change increase, while the 196 additional African-American employees represented only a 31% percent change increase.
- It is also notable that between July 1, 2010 and July 1, 2017, of the 1,459 additional employees in DPH, 867 were either Asian/Pacific Islanders or Filipino employees, 59.4% — well over half — of the 1,459 increase at DPH during the tenure of former-Mayor Ed Lee, again potentially signaling bias in hiring. That contrasts with the 196 additional African-Americans who represent just 13.4% of the 1,459 employees added in DPH.

## 2. Additional Data Provided by DHR

On September 4, I placed a records request with DHR; DHR responded on September 14. I had requested:

- (1) Any and all DHR annual reports since January 1, 2010 reporting the number of racial discrimination and racial harassment complaints DHR received in each fiscal year.

DHR indicated on September 14:

*“DHR does not produce any annual reports regarding racial discrimination or racial harassment complaints. Attached are Discrimination Complaints for calendar years 2016 and 2017.”*

Table 2: Lawsuits Available On-Line Specifying Race/Ethnicity of Plaintiffs

### Discrimination Complaints Based on Race (Calendar Years 2016 and 2017)

Calendar Year	Asian/ Pacific Islander	African- American/ Black	Filipino	Hispanic	Multi- Racial	White	Other	Grand Total
2016	14	59	2	10	1	4	12	102
2017	15	48	3	14	4	3	9	96
Grand Total	29	107	5	24	5	7	21	198
Percent of Total	14.6%	54.0%	2.5%	12.1%	2.5%	3.5%	10.6%	

Note: The racial category "Other" denotes complaints in which the alleged discriminatory or harassing conduct was directed at those outside of the complainant's racial category (e.g., a Filipino employee alleges that the respondent made inappropriate race-based comments about Black and Hispanic employees).

Source: San Francisco Department of Human Resources, 9/14/2018. Percentages added by author.

Note in Table 2 that the 107 complaints filed by African-Americans total 54% of the 198 discrimination complaints based on race. It's not known how many of those 107 complaints resulted in disciplinary action, and also not known how many of those complaints led to lawsuits filed in court.

- (2) Any and all settlement agreements involving racial discrimination and racial harassment in DHR's possession that have been settled between January 1, 2010 and September 4.

DHR also indicated on September 14:

*"The attached [settlement agreement] record is in DHR's possession. DHR will provide the remainder of its records, on a rolling basis, within fourteen days from the date of this email."*

It took 10 days for DHR to find a single redacted settlement agreement in its possession, which is pathetic. Reading the settlement agreement, I knew instantly which City employee (now retired) had filed the lawsuit, because I had worked with her at Laguna Honda Hospital for a decade. And I also knew instantly that although the employee had filed it as a *racial discrimination* lawsuit as the Second Cause of Action in her lawsuit, the City Attorney's Office had mis-classified it as a *6070 General Harassment* lawsuit rather than as a *6035 Racial Discrimination* lawsuit.

She received \$262,452 as a settlement award; the City Attorney only spent \$18,093 in her case, suggesting the City Attorney knew that the Plaintiff was dead to rights and there was no point for the City to fight the lawsuit.

What this suggests, however, is the City Attorney often miscategorizes types of lawsuits, as I've discovered multiple times in researching other lawsuits.

- (3) Please stratify for each Fiscal Year the number of racial harassment and racial discrimination complaints and/or settlements by race/ethnicity, or provide records and reports that break out the race/ethnicity data [added in an amended records request].

DHR also indicated on September 14:

*"No records found. San Francisco Administrative Code Section [Sunshine Ordinance] 67.20(b) defines public information as "... the content of 'public records' as defined in the California Public Records Act (Government Code Section 6252), whether provided in documentary form or in an oral communication." Counts and data analysis of records received through this process are not in this ordinance's scope." [emphasis added]*

This is *ludicrous*! DHR provided a limited amount of "counts" in the data in Table 2 above. DHR should be required to provide the same "counts" of data for each calendar year going back to 2007 to provide historical context. The reliance on Sunshine §67.20 to *evade performing* "counts and analyses" is totally ridiculous!

### 3. Lawsuits Filed by City Employees Data Provided by City Attorney's Office

I have obtained records from the City Attorney's Office over the last nine years, tracking lawsuits filed by City employees dating back to January 1, 2007 involving a variety of prohibited personnel practices proscribed by state, local, and federal laws, including racial discrimination and harassment, sexual discrimination and harassment, wrongful termination, age- and disability-discrimination, and other prohibited personnel practices.

Data provided incrementally over the years from the City Attorney documents at least 329 such lawsuits have cost the City \$70 million in total costs between January 1, 2007 and December 22, 2017, including settlement awards and City Attorney time and expenses hoping to squash or derail the lawsuits.

Of the 329 lawsuits 142 (43.2%) involved just three prohibited personnel practices: Racial discrimination, sexual harassment and discrimination, and wrongful termination. Those 142 cases cost \$43 million in total costs, fully 61.3% of the \$70 million total.

Unfortunately, attempting to cross-check the 142 lawsuits to ascertain race/ethnicity of the Plaintiffs, only 90 of the lawsuits were available on-line, and 52 (36.6%) weren't available on-line.

It's helpful to place in context the racial discrimination lawsuit costs compared to two lawsuit categories:

Table 3.1: Subset of 329 Lawsuits Filed by City Employees, January 1, 2007 – December 22, 2017

Type of Case	# of Cases	CAO Settlement Amount	BOS Award	CAO Time & Expenses	Total Costs
Wrongful Termination (Emp agst City)	54	\$ 5,441,508	\$ 3,467,412	\$ 10,649,048	\$ 19,557,968
Racial Discrimination (Emp agst City)	52	\$ 4,572,005	\$ 260,000	\$ 8,530,486	\$ 13,362,490
Sexual Discrimination / Sexual Harassment	36	\$ 3,753,942	\$ 638,588	\$ 5,616,382	\$ 10,008,912
<b>Total</b>	<b>142</b>	<b>\$ 13,767,454</b>	<b>\$ 4,366,000</b>	<b>\$ 24,795,916</b>	<b>\$ 42,929,370</b>

Source: City Attorney's Office

Note in Table 3.1 that \$24.8 million (57.8%) of the \$43 million in total costs was spent by the City Attorney's Office trying to stop or mitigate the settlements awarded to Plaintiffs, and just \$18.1 million (42.2%) resulted in settlements.

Table 3.2 shows that of the 142 lawsuits, only 90 (63.4%) were available on-line on the San Francisco Superior Court web site. Fully 52 (36.6%) were *not* available on-line.

Table 3.2: Lawsuits Available On-Line on San Francisco Superior Court Web Site

Type of Lawsuit	Total Lawsuits	Total Costs	Lawsuits Available On-Line	Lawsuits Not Available On-Line	% Not Available On-Line
Sexual Harassment/Sexual Discrimination	36	\$ 10,008,912	26	10	27.8%
Wrongful Termination	54	\$ 19,557,968	45	9	16.7%
Racial Discrimination	52	\$ 13,362,490	19	33	63.5%
<b>Total</b>	<b>142</b>	<b>\$ 42,929,370</b>	<b>90</b>	<b>52</b>	<b>36.6%</b>

Source: San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

Table 3.3 shows that additionally, of the 90 lawsuits available on-line, a high percentage of them (62.2%) did *not* report the race/ethnicity of the Plaintiffs, although the Racial Discrimination category of lawsuits did report the race:

Table 3.3: Lawsuits Available On-Line Specifying Race/Ethnicity of Plaintiffs

Type of Lawsuit	Total Lawsuits	Total Costs	Lawsuits Available On-Line	Race/Ethnicity Not Stated in Lawsuits	% Race Not Stated in Lawsuits
Sexual Harassment/Sexual Discrimination	36	\$ 10,008,912	26	18	69.2%
Wrongful Termination	54	\$ 19,557,968	45	36	80.0%
Racial Discrimination	52	\$ 13,362,490	19	2	10.5%
<b>Total</b>	<b>142</b>	<b>\$ 42,929,370</b>	<b>90</b>	<b>56</b>	<b>62.2%</b>

Source: San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

While the sexual harassment and discrimination, and wrongful termination lawsuits had high percentages that didn't report race/ethnicity, the racial discrimination lawsuits were an exception, as shown in Table 3.3 above.

Data from lawsuits available on-line shown on the next page are troubling.

Table 3.4: Disparities in Lawsuit Outcomes by Race/Ethnicity

## African-American

Type of Lawsuit	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs	Total Lawsuits	Total Costs
Sexual Harassment/Sexual Discrimination	5	13.9%	\$ 68,338		\$ 69,808	\$ 138,146	1.4%	36	\$ 10,008,912
Wrongful Termination	3	5.6%	\$ 125,000	\$ 8,000	\$ 171,844	\$ 304,844	1.6%	54	\$ 19,557,968
Racial Discrimination	10	19.2%	\$ 586,631		\$ 1,518,856	\$ 2,105,487	15.8%	52	\$ 13,362,490
<b>Total</b>	<b>18</b>	<b>12.7%</b>	<b>\$ 779,969</b>	<b>\$ 8,000</b>	<b>\$ 1,760,509</b>	<b>\$ 2,548,478</b>	<b>5.9%</b>	<b>142</b>	<b>\$ 42,929,370</b>

## Caucasian/White

Type of Lawsuit	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs	Total Lawsuits	Total Costs
Sexual Harassment/Sexual Discrimination								36	\$ 10,008,912
Wrongful Termination	3	5.6%	\$ 4,130,640	\$ 2,815,498	\$ 7,205,383	\$ 14,151,521	72.4%	54	\$ 19,557,968
Racial Discrimination	3	5.8%	\$ 1,585,258		\$ 780,952	\$ 2,366,210	17.7%	52	\$ 13,362,490
<b>Total</b>	<b>6</b>	<b>4.2%</b>	<b>\$ 5,715,898</b>	<b>\$ 2,815,498</b>	<b>\$ 7,986,335</b>	<b>\$ 16,517,731</b>	<b>38.5%</b>	<b>142</b>	<b>\$ 42,929,370</b>

Source: San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

Table 3.4 illustrates that the 10 Racial Discrimination lawsuits filed by African-Americans received just \$586,631 in settlement awards, while the 3 Racial Discrimination lawsuits filed by Caucasian/White's received three times as much — \$1,585,258 — in settlement awards for only one-third the number of lawsuits. The disparity between City Attorney time and expenses also had an inverse relationship between Black plaintiffs and White plaintiffs who filed racial discrimination lawsuits.

Additional tables are included in the attached Addendum accompanying this testimony that breaks out in greater detail the number of lawsuits in the three categories of lawsuits by race/ethnicity, and also by City departments.

#### 4. Department of Public Health

Cross-referencing the City Attorney's records on prohibited personnel practice lawsuits to the lawsuits available on the Superior Court web site provided some insight into the lawsuits filed by DPH employees.

Table 4: Lawsuits Filed by DPH Employees for Three Prohibited Personnel Practices

Department of Public Health	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs	Total Lawsuits	Total Costs
Sexual Harassment/Sexual Discrimination	7	19.4%	\$ 475,000		\$ 1,690,673	\$ 2,165,673	21.6%	36	\$ 10,008,912
Wrongful Termination	11	20.4%	\$ 1,312,093	\$ 145,907	\$ 1,228,523	\$ 2,686,523	13.7%	54	\$ 19,557,968
Racial Discrimination	8	15.4%	\$ 132,703		\$ 721,288	\$ 853,991	6.4%	52	\$ 13,362,490
<b>Total</b>	<b>26</b>	<b>18.3%</b>	<b>\$ 1,919,796</b>	<b>\$ 145,907</b>	<b>\$ 3,640,484</b>	<b>\$ 5,706,187</b>	<b>13.3%</b>	<b>142</b>	<b>\$ 42,929,370</b>

Source: San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

Table 4 shows that of the 146 lawsuits filed involving sexual harassment and sexual discrimination, wrongful termination and racial discrimination, 26 (18.3%) were filed by DPH employees, and the \$5.7 million in total costs represented 13.3% of the \$43 million total. It is statistically significant that one City department was substantially involved in three lawsuit categories.

It's notable that Table 4 shows that 15.4% (8) of the 52 racial discrimination lawsuits involved DPH employees, but total costs of those lawsuits involved only 6.4% (\$53,991) of the \$13.4 million in total costs.

#### 5. Recommendations

Given the data provided in this testimony, several recommendations seem obvious.

Most importantly I recommend that the Board of Supervisors greatly expand mandatory reporting by both DHR and the City Attorney in pending File No. 180546: *Harassment Prevention Training and Reporting Requirements*.

On May 22, 2018, Supervisors London Breed, Malia Cohen, Kathy Tang, and Catherine Stefani introduced File No. 180546 to expand DHR's sexual harassment prevent training to include all types of harassment, and to expand the training to include all city employees who work more than 20 hours a week. The legislation was assigned to the Board of Supervisors Rules Committee.

Unfortunately, the legislation has languished and has not been heard at Rules and then forwarded to the full Board of Supervisors during the four months since the Ordinance was introduced in May. I recommend:

- First, the training be expanded from preventing only *harassment*, to other forms of prohibited personnel practices, like discrimination. The City Attorney's Office tracks lawsuits involving approximately 30 separate prohibited personnel practices. The training should be expanded to include, not only expanded harassment prevention, but also discrimination, assault, and wrongful termination, among other categories shown in Table 5 below.

**Table 5: Subset of Prohibited Personnel Practice Lawsuits Tracked by the City Attorney's Office**

	Code	Type of Prohibited Practice
1	4025	Racial Harassment (Employee Conduct)
2	4030	Sexual Orient. Harass. (Emp. Conduct)
3	6010	Wrongful Termination (Emp agst City)
4	6015	Assault by another employee
5	6030	Sexual Discrimination (Emp against City)
6	6035	Racial Discrimination (Emp agst City)
7	6040	Sexual Orientation Discrim (Emp vs City)
8	6050	Sexual Harassment (Emp against City)
9	6055	Racial Harassment (Emp against City)
10	6070	General Harassment (Emp against City)
11	6075	Age Discrimination (Emp against City)
12	6080	Disability Discrimination (Emp v City)

Source: San Francisco City Attorney's Office

- The legislation proposes harassment prevention training be expanded from requiring only employees who supervise, or could potentially supervise other employees, to include *all* City employees who work more than 20 hours a week. Based on the City Controller's payroll database for FY 2017–2018 that ended on June 30, 2018, of 42,271 employees in the database, 10,234 — nearly one-quarter, or 24.4% — worked less than 20 hours per week and will not receive the expanded harassment prevention training.

It's a mistake to *exclude* ¼ of all City employees from this training! I recommend the training be expanded to also include employees who work less than 20 hours weekly.

- The training was specified to begin in FY 2018–2019 starting July 1, 2018 provided that the Board of Supervisors appropriated money to fund the training in FY 2018–2019; otherwise the training won't be expanded until FY 2019–2020 stating on July 1, 2019, another year-long delay for justice. It's also not known if the expanded prevention training was funded in the FY 2018–2019 City budget, or whether the delayed legislation will cause another one-year delay before the training is expanded and begins in July 2019. I recommend the training be fast-tracked and begin as quickly as possible.
- The Ordinance proposes in §16.9-27(d)(2) that beginning in January 2019, DHR should post on its website on both a quarterly and annual basis a report of the number of harassment complaints filed with DHR. I recommend that language be amended to require a breakout of *each* type of complaint listed in Table 5 above.
- The Ordinance proposes in §16.9-27(d)(3) that beginning in January 2019, the City Attorney's Office shall report annually on settlements involving *only* harassment lawsuits, and *only* to the Department on the Status of Women (DSOW). I recommend that language be amended to require the City Attorney 1) Report *all* types of lawsuits filed for each type of prohibited personnel practices listed in Table 5 above, 2) Report both the settlements awarded, additional supplementary settlements approved by the Board of Supervisors, and the City Attorney's time and expenses incurred, and 3) Report those aggregate number of lawsuits and lawsuit costs to both DSOW and to the Human Rights Commission by each type of prohibited personnel practices.



September 17, 2018

Testimony to the GAO Committee on African-American Workforce, File No. 180630

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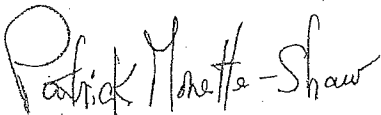
- I recommend that DHR, DSOW, the HRC, the Ethics Commission, and the City Controller's whistleblower program be required to more closely track whistleblower complaints that advance from whistleblower complaints, to EEOC and DFEH complaints issued a *Right-to-Sue Letter*, and subsequently result in a lawsuit against the City the City Attorney is notified of. Collaboration between these City departments needs to be greatly expanded.

Much greater reporting should be required.

- If the City Attorney's Office does not currently track race/ethnicity data in its database of prohibited personnel practices lawsuits, the Board of Supervisors should require that the City Attorney's Office collaborate with DHR to identify the race/ethnicity of each city employee who files lawsuits in both the Superior Court and other federal courts, and require the City Attorney to provide data annually to the Board of Supervisors reporting the race/ethnicity for each category of the prohibited personnel practices and the associated costs of settlements awarded and costs of the City Attorney's time and expenses.
- Because DHR does not produce any annual reports on racial harassment, the Board of Supervisors should incorporate into the reporting requirements of the expanded harassment prevention training in File No. 180546: *Harassment Prevention Training and Reporting Requirements* that DHR provide annual reports to the Board of Supervisors for each type of prohibited personnel practice listed in Table 5.
- Finally File No. 180546: *Harassment Prevention Training and Reporting Requirements* does not provide that either DHR, DSOW, or the City Attorney's Office provide any annual reports to the full Board of Supervisors. File No. 180546 must be amended to require such annual reports to the Board of Supervisors.

The Government Audit and Oversight Committee should request during your September 19 hearing that many amendments need to be made and incorporated into File No. 180546 *Harassment Prevention Training* to expand protections for City employees, and expand reporting requirements. Such legislative amendments should be heard during another GAO Committee public hearing.

Respectfully submitted,



**Patrick Monette-Shaw**

Columnist

Westside Observer Newspaper

cc: Supervisor Malia Cohen, President, Board of Supervisors  
The Honorable Sandra Lee Fewer, Supervisor, District 1  
The Honorable Hillary Ronen, Supervisor, District 9  
The Honorable Ahsha Safai, Supervisor, District 11  
Angela Calvillo, Clerk of the Board of Supervisors  
Lee Hepner, Legislative Aide to Supervisor Aaron Peskin  
Sophia Kittler, Legislative Aide to Supervisor Malia Cohen  
John Carroll, GAO Committee Assistant Clerk

## Demographic Data Addendum

The data in this addendum are snapshots of the racial/ethnicity and City department data that were available on-line on the Superior Court's web site.

For all tables:

**Source:** San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

**Table 3.5: Racial Discrimination by Race/Ethnicity**

Race/Ethnicity	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
African American	10	19.2%	\$ 586,631	\$0.00	\$ 1,518,856	\$ 2,105,487	15.8%
Caucasian/White	3	5.8%	\$ 1,585,258		\$ 780,952	\$ 2,366,210	17.7%
Asian-American/Chinese-American	2	3.8%	\$ 47,250		\$ 179,506	\$ 226,756	1.7%
Hispanic/Latino	2	3.8%			\$ 198,823	\$ 198,823	1.5%
Race Not Stated in Lawsuits	2	3.8%	\$ 671,868		\$ 837,182	\$ 1,509,050	11.3%
Lawsuits Not Available On-Line	33	63.5%	\$ 1,680,998	\$ 260,000	\$ 5,015,166	\$ 6,956,163	52.1%
<b>Total</b>	<b>52</b>	<b>100.0%</b>	<b>\$4,572,005</b>	<b>\$260,000</b>	<b>\$8,530,486</b>	<b>\$13,362,490</b>	<b>100.0%</b>

**Table 3.6: Racial Discrimination by City Department**

City Department	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
Administrative Services	1	1.9%	\$ 210,000		\$ 119,594	\$ 329,594	2.5%
Airport Commission	1	1.9%			\$ 153,738	\$ 153,738	1.2%
Human Services Agency	1	1.9%	\$ 8,000		\$ 44,499	\$ 52,499	0.4%
Department of Public Works	3	5.8%	\$ 347,751		\$ 588,848	\$ 936,598	7.0%
Economic and Workforce Development	1	1.9%			\$ 219	\$ 219	
Fire Department	2	3.8%	\$ 275,000		\$ 681,335	\$ 956,335	7.2%
Juvenile Probation Department	1	1.9%	\$ 55,000		\$ 190,204	\$ 245,204	1.8%
Municipal Transportation Agency	9	17.3%	\$ 1,443,470		\$ 1,751,529	\$ 3,194,999	23.9%
Police Department	5	9.6%	\$ 1,685,258	\$ 100,000	\$ 1,266,720	\$ 3,051,978	22.8%
Department of Public Health	8	15.4%	\$ 132,703		\$ 721,288	\$ 853,991	6.4%
San Francisco Port Authority	1	1.9%			\$ 121,468	\$ 121,468	0.9%
Public Utilities Commission	6	11.5%	\$ 35,000		\$ 642,898	\$ 677,898	5.1%
Treasurer/Tax Collector	1	1.9%		\$ 110,000	\$ 63,943	\$ 173,943	1.3%
Lawsuit Not On-line	12	23.1%	\$ 379,823	\$ 50,000	\$ 2,184,204	\$ 2,614,027	19.6%
<b>Total</b>	<b>52</b>	<b>100.0%</b>	<b>\$4,572,005</b>	<b>\$260,000</b>	<b>\$8,530,486</b>	<b>\$13,362,490</b>	<b>100.0%</b>

Table 4.1: Sexual Harassment /Sexual Discrimination by Race/Ethnicity

Race/Ethnicity	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
African-American	5	13.9%	\$ 68,338	\$0.00	\$ 69,808	\$ 138,146	1.4%
Asian	1	2.8%	\$ 350,000		\$ 161,688	\$ 511,688	5.1%
Filipino	1	2.8%			\$ 6,645	\$ 6,645	0.1%
Mexican	1	2.8%			\$ 37,284	\$ 37,284	0.4%
Race Not Stated	18	50.0%	\$ 2,244,604	\$ 159,895	\$ 3,613,536	\$ 6,018,035	60.1%
Lawsuits Not Available On-Line	10	27.8%	\$ 1,391,000	\$ 178,693	\$ 1,727,421	\$ 3,297,114	32.9%
<b>Total</b>	<b>36</b>	<b>100.0%</b>	<b>\$4,053,942</b>	<b>\$338,588</b>	<b>\$5,616,382</b>	<b>\$10,008,912</b>	<b>100.0%</b>

Table 4.2: Sexual Harassment/Sexual Discrimination by City Department

City Department	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
Airport Commission	2	5.6%	\$ 425,000	\$50,000.00	\$ 441,193	\$ 916,193	9.2%
Administrative Services	2	5.6%	\$ 310,105	\$ 59,895	\$ 110,862	\$ 480,862	4.8%
Fire Department	1	2.8%	\$ 400,000		\$ 101,521	\$ 501,521	5.0%
Human Services Agency	2	5.6%	\$ 160,000	\$ 78,193	\$ 148,857	\$ 387,050	3.9%
Municipal Transportation Agency	8	22.2%	\$ 252,838		\$ 434,047	\$ 686,885	6.9%
Police Department	4	11.1%	\$ 720,000		\$ 895,171	\$ 1,615,171	16.1%
Department of Public Health/LHH	7	19.4%	\$ 475,000		\$ 1,690,673	\$ 2,165,673	21.6%
Department of Public Works	1	2.8%		\$ 500	\$ 207	\$ 707	0.0%
Public Utilities Commission	1	2.8%	\$ 350,000	\$ 100,000	\$ 159,964	\$ 609,964	6.1%
Recreation and Parks Department	1	2.8%			\$ 175,990	\$ 175,990	1.8%
Rent Board	1	2.8%			\$ 37,284	\$ 37,284	0.4%
Sheriffs Department	4	11.1%	\$ 911,000	\$ 50,000	\$ 1,182,692	\$ 2,143,692	21.4%
Department Name Not Stated	2	5.6%	\$ 49,999		\$ 237,922	\$ 287,921	2.9%
<b>Total</b>	<b>36</b>	<b>100.0%</b>	<b>\$4,053,942</b>	<b>\$338,588</b>	<b>\$5,616,382</b>	<b>\$10,008,912</b>	<b>100.0%</b>

**Table 5.1: Wrongful Termination by Race/Ethnicity**

Race/Ethnicity	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
African American	3	5.6%	\$ 125,000	\$ 8,000	\$ 171,844	\$ 304,844	1.6%
"Perceived to be Black " (Samoan)	1	1.9%			\$ 54,552	\$ 54,552	0.3%
Caucasian/White	3	5.6%	\$ 4,130,640	\$ 2,815,498	\$ 7,205,383	\$ 14,151,521	72.4%
Asian-American/Chinese-American	1	1.9%	\$ 75,000		\$ 328,144	\$ 403,144	2.1%
Filipino	1	1.9%	\$ 45,000	\$ 164,507	\$ 39,092	\$ 248,599	1.3%
Race Not Stated in Lawsuits	36	66.7%	\$ 971,593	\$ 479,407	\$ 2,238,585	\$ 3,689,585	18.9%
Lawsuits Not Available On-Line	9	16.7%	\$ 94,275		\$ 611,448	\$ 705,723	3.6%
<b>Total</b>	<b>54</b>	<b>100.0%</b>	<b>\$5,441,508</b>	<b>\$3,467,412</b>	<b>\$10,649,048</b>	<b>\$19,557,968</b>	<b>100.0%</b>

**Table 5.2: Wrongful Termination by City Department**

City Department	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
Administrative Services	1	1.9%	\$ 97,000	\$ 8,000	\$ 89,431	\$ 194,431	1.0%
Adult Probation Department	1	1.9%	\$ 7,500		\$ 17,962	\$ 25,462	0.1%
Assessor / Recorder	1	1.9%			\$ 8,018	\$ 8,018	0.0%
City Attorney's Office	1	1.9%	\$ 2,755,640	\$ 2,715,498	\$ 6,000,000	\$ 11,471,138	58.7%
City Planning Department	1	1.9%			\$ 46,161	\$ 46,161	0.2%
Clean Water	1	1.9%	\$ 24,000		\$ 13,690	\$ 37,690	0.2%
Department of Public Works	3	5.6%		\$ 70,000	\$ 232,982	\$ 302,982	1.5%
District Attorney	1	1.9%	\$ 4,500		\$ 147,738	\$ 152,238	0.8%
Fine Arts Museum	1	1.9%			\$ 73,415	\$ 73,415	0.4%
Fire Department	4	7.4%	\$ 70,275		\$ 269,056	\$ 339,330	1.7%
Human Services Agency	4	7.4%	\$ 110,500	\$ 129,415	\$ 106,769	\$ 346,684	1.8%
Juvenile Probation Department	3	5.6%	\$ 2,500		\$ 113,783	\$ 116,283	0.6%
Municipal Transportation Agency	7	13.0%	\$ 195,500		\$ 247,589	\$ 443,089	2.3%
Police Department	4	7.4%	\$ 725,000	\$ 100,000	\$ 842,634	\$ 1,667,634	8.5%
Department of Public Health	11	20.4%	\$ 1,312,093	\$ 145,907	\$ 1,228,523	\$ 2,686,523	13.7%
Public Utilities Commission	1	1.9%	\$ 45,000	\$ 164,507	\$ 39,092	\$ 248,599	1.3%
Recreation and Parks Department	2	3.7%	\$ 75,000		\$ 514,329	\$ 589,329	3.0%
Treasurer/Tax Collector	1	1.9%			\$ 146,738	\$ 146,738	0.8%
War Memorial	1	1.9%			\$ 141,096	\$ 141,096	0.7%
Department Not Stated in Lawsuits	5	9.3%	\$ 17,000	\$ 134,085	\$ 370,041	\$ 521,126	2.7%
<b>Total</b>	<b>54</b>	<b>100.0%</b>	<b>\$5,441,508</b>	<b>\$3,467,412</b>	<b>\$10,649,048</b>	<b>\$19,557,968</b>	<b>100.0%</b>

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 415-554-5184  
Fax No. 415-554-5163  
TDD/TTY No. 415-554-5227

## MEMORANDUM

TO: Micki Callahan, Department of Human Resources  
Barbara A. Garcia, Director, Department of Public Health  
Jon Givner, Office of the City Attorney  
Ben Rosenfield, City Controller  
Naomi Kelly, City Administrator  
Ken Rich, Acting Co-Director, Office of Economic and Workforce Development  
Joaquin Torres, Acting Co-Director, Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Government Audit and Oversight Committee,  
Board of Supervisors

DATE: June 13, 2018

SUBJECT: HEARING MATTER INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following hearing request, introduced by Supervisor Kim on June 5, 2018:

File No. 180630

Hearing on African-American workforce hiring, retention, promotional opportunities, and data tracking of work place discrimination complaints at the City and County of San Francisco; and requesting the Department of Human Resources, Department of Public Health, City Attorney's Office, Controller's Office, City Administrator, and other applicable departments to report.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Susan Gard, Department of Human Resources  
Dr. Naveena Bobba, Department of Public Health  
Sneha Patil, Department of Public Health  
Todd Rydstrom, Office of the Controller  
Tonia Lediju, Office of the Controller  
Lynn Khaw, Office of the City Administrator  
Lihmeei Leu, Office of the City Administrator  
J'Wel Vaughan, Office of Economic and Workforce Development  
Lisa Pagan, Office of Economic and Workforce Development

**Introduction Form**

By a Member of the Board of Supervisors or Mayor

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2019 JUN -5 PM 3:01  
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or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☒ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning : "Supervisor [ ] inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. [ ] from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No. [ ]
- ☐ 9. Reactivate File No. [ ]
- ☐ 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission      ☐ Youth Commission      ☐ Ethics Commission
- ☐ Planning Commission      ☐ Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Kim, Breed, Peskin, Fewer, Ronen, Cohen, Safai

Subject:

African-American workforce hiring, retention, and promotional opportunities and data tracking of work place discrimination complaints at the City and County of San Francisco. Description of Departmental and citywide efforts to ensure a workplace free of implicit bias.

The text is listed:

See attached. ~~All Departments, but primarily~~ Department of Human Resources, Department of Public Health, City Attorney, and Controller's Office, City Administrator, and other applicable departments.

Signature of Sponsoring Supervisor: [ ]

For Clerk's Use Only